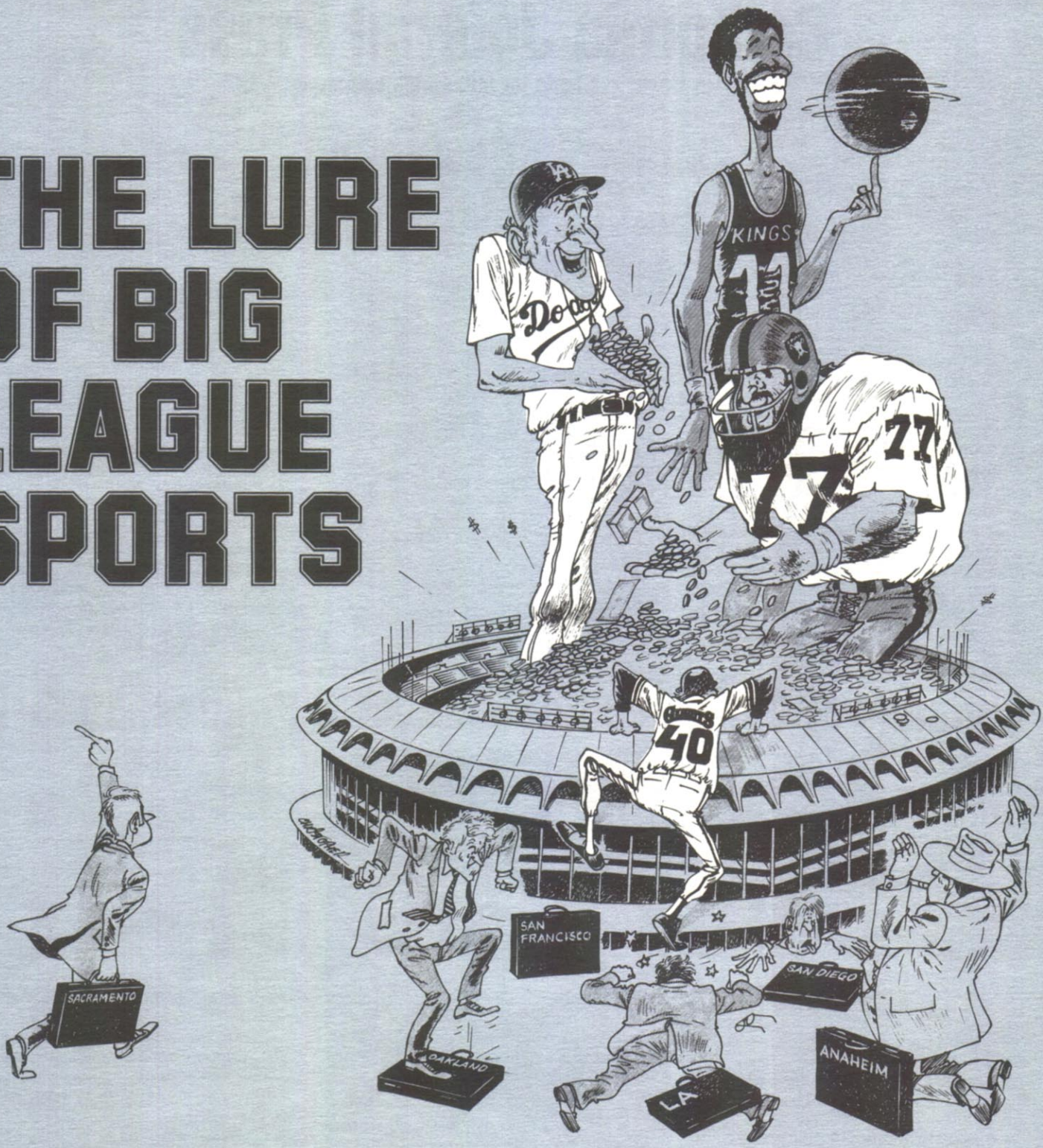
California Journal

The Monthly Analysis of State Government and Politics

AUGUST 1983/$2.50

THE LURE OF BIG LEAGUE SPORTS



The trend toward absentee voting

Steve Merksamer: the Duke's right-hand man

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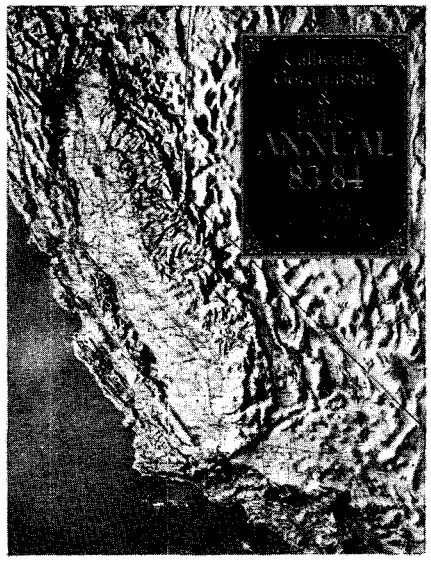

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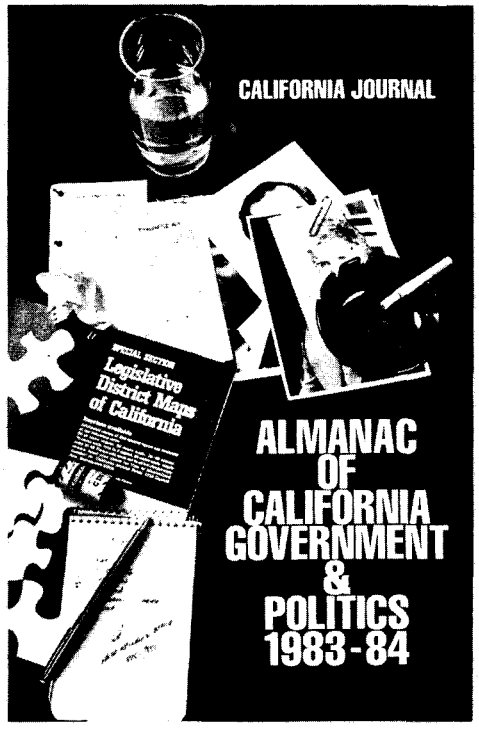

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California Journal

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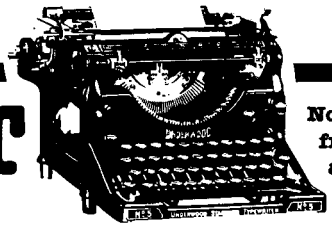
UP FRONT



Notes and Items from Contributors and the Journal Staff.

This issue of the Journal is the first in six years to appear without the name of Managing Editor Alice Nauman on the masthead. She has left to spend more time with her family, and we miss her watchful eye and steadying hand. Our new managing editor is A.G. Block, former reporter for Gannett newspapers in Ketchum, Idaho, where he also served on the city council. During recent months, he has been a freelance writer in Sacramento.

Whenever a state agency makes predictions in its field of expertise, we think of the now defunct Stallion Registration Board. In its annual report for 1918, it discussed the declining numbers of draft

horses being found on California farms. But after citing various statistics and noting that horses cost less to maintain than tractors, it declared, "From any standpoint, the future of the draft horse seems assured, and farmers and breeders will have lost a golden opportunity in not breeding every available mare to a good sound draft stallion at this time."

Tom Houston, former head of the state Fair Political Practices Commission, is helping spearhead a drive to overhaul California politics. Houston serves as general counsel and co-director of a group known as Initiatives for Campaign Reform (ICR) which this past May launched an eight-month, $100,000 effort to develop what Houston calls "workable political reforms" rather than measures like the Gann Initiative which he says are "too draconian." ICR is funded by a series of grants from private foundations like the Youth Project of Washington, D.C. and Shalan Foundation of San Francisco.

This month, Houston says, the ICR advisory board will announce model reforms on subjects like political contributions, campaign expenditures and ethics, citizen financing of campaigns and campaign activity by members of legislative staffs. Once the proposals are on the table, he says, consultants from the Hastings Law Center for Political Studies in San Francisco will be hired to carry out more than 200 interviews on the reforms with politicians, lobbyists, party officials, campaign firms, PACs, the press and "anyone who might eventually oppose the reforms." Those responses will then be studied before ICR decides whether to pursue reform through legislative action or the initiative process.

ICR has four co-directors: Houston campaign activist David Calef, former Carter Administration official Lonn Hancock and Alan Davis, board member from the League of Conservation Voters. Among the 13-member advisory board are former legislative analyst A. Alan Post, Kenni Friedman from the League of Women Voters and Dan Lowenstein, the FPPC's first chairman. Volunteers all, Houston stresses.

Safe and sane fireworks aren't always so safe and sane. Just ask former California Energy Commission Commish Gene Varanini. On July 4th, he tried to light a platform fountain, one of those tube-like devices that throws a shower of colorful sparks several feet in the air. Only this one sent sparks directly into Varanini's left eye, severely damaging the cornea and lens. After two days in the hospital, Varanini was released with a patch over his eye, but it will be another month before doctors know whether the damage is permanent. Meanwhile, Varanini has kept his sense of humor. "I'll look at all the bad legislation with my left eye," says the Assembly Natural Resources Committee consultant. When asked why the blow-up occurred, Varanini, a former Marine Corps officer in Vietnam, says all those demolition courses he took in the military never prepared him for a short fuse.

Cities, these days, are trying all sorts of new ways to raise money. In Oakland, for example, city fathers recently authorized billboards — on parking meters. Fred Ernst, a member of Oakland's Off-Street Parking Commission, says the city could raise up to $1 million annually — or

about $240 per meter — from the 9-by-1 inch, metal-frame messages. It remain to be seen, of course, how motorists wi receive the ads, especially after pickin a parking ticket off the windshield.

Attorney Tom Epstein is a politica junkie who examines election statistic as avidly as any baseball nut would por through a record book. And Epstein, wh is otherwise employed as governmenta affairs director for the Health Officer Association of California, says there danger ahead if the Sebastiani initiativ is approved by voters without lawmaker first enacting some kind of campaign f nance reform. The reason is that the in tiative, which has already qualified fo the ballot, is designed to create as man competitive districts as possible for th Assembly, Senate and Congress; that i districts in which Democrats or Repub licans have roughly equal chances of win ning. This, says Epstein, is an invitatio to massive campaign spending, the like of which have not been seen before. Ep stein bases his warning on an analysis last year's 80 Assembly elections. In th 19 races that both sides took most ser ously, i.e., each side spending more tha $100,000, the candidate who spent mor won in 16 cases. That money wins elec tions is hardly news, but Epstein has re fined the numbers to show also a direc correlation between the margin of vic tory and the difference between th amounts spent by the winner and lose In other words, the more you can ou

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pend your opponent, the greater your argin of victory. Given the insecurities f most candidates, this fact alone should rive them into a frenzy of fund raising. Jnless, as Epstein concludes, lawmakers ut some limits on campaign funding.

Who prepared those notes for Senator arry Keene concerning his bill to help he Blue Lake School District? As he ead from the notes before an Assembly ommittee, the North Coast Senator poke of the "Blue Lagoon" School Disrict. That, you will recall, was the name f a sexy motion picture starring Brooke hields in the buff.

(Robert P. Studer, Sacramento)

Senator Ralph Dills, Democrat from ardena, makes a tidy living off the state hese days. In addition to his $28,111 salry as a legislator, Dills gets a $43,332 anual pension from the Judges' Retirement ystem because, from 1949 to 1966, he was n elected judge in Los Angeles County. nd, because of a law passed in 1982, his egislative salary is no longer deducted rom his pension, a bit of bookkeeping that ffectively doubled his senatorial wage. Vhat's more, Dills, a former teacher in ompton, receives $1590.48 per year from he State Teachers' Retirement System, naking the senator a triple-dipper.

A double-dipper is William Bennett, a ember of the state Board of Equalization. ennett gets a $51,000 salary from his lected seat on the board plus a $8755 penion from the Public Employees Retirement System. His pension is for a 10-year tint as a deputy attorney general, three ears as chief counsel to the Public Utilies Commission and a six-year term as a ember of that commission.

(Jackson Rannells, San Francisco)

As mentioned elsewhere in this issue, J. Hart Clinton, publisher of the *San Mateo Times*, is pushing a little bill in the Legislature to help himself evade some timber protection rules in neighboring Santa Cruz County. Essentially, he wants his 80-acre forest parcel there removed from the county's timber protection zone. What makes this notable is that the Legislature two years ago considered a somewhat similar bill to undercut timber rules in Clinton's home county of San Mateo. And guess who came out then as a champion of local control? In a lead editorial, Clinton's paper declared that the proposed bill "would constitute an inexcusable and damaging abridgement of local rights." And the bill was dropped. Does Clinton see some inconsistency here? Not at all, he replies. He supports the Santa Cruz ordinance but believes that its interpretation was poor. Before coming to the Legislature, Clinton fought that interpretation all the way to the Supreme Court and lost.

(Joan Reiss, Sacramento)

Conway Collis, a member of the state Board of Equalization, denies he'll be neglecting his board duties to help his former boss, Senator Alan Cranston, run for president. Treasurer Jess Unruh is chairman of Cranston's California campaign, but the senator, quoted in the *Sacramento Union*, said of Collis, "He will be in charge of day-to-day operations with special emphasis on money raising." Collis, who earns $50,850 a year as a full-time, elected member of the Board, says the people in charge of daily operations will report to him, as will people who raise money for the senator. His first responsibility, he insists, is to the Board of Equalization, and he won't become directly involved in the Cranston campaign until the later stages, "when things heat up," he says.

For all those cities having problems attracting industry, do what the towns of Avenal and Adelanto did: Request a prison be built in your community. A 3000-inmate facility can mean 1000 jobs and a $20 million annual payroll. And you probably won't have much competition. According to Phil Guthrie, a spokesman for the Department of Corrections, Avenal and Adelanto are the only two cities to ever ask for a prison.

Democratic Assemblyman Art Agnos has established himself as a press critic of sorts on the strength of a magazine article that he's never written. The story began in January 1982 when we asked two legislators — a liberal and a conservative — to write articles evaluating the Capitol press corps. The conservative, Republican Senator Bill Richardson of Arcadia, went out at once, interviewed a cross section of reporters and wrote an interesting piece that appeared in our March 1982 issue. The liberal, Agnos, delayed a while but eventually asked reporters to fill out a provocative questionnaire (Do you sleep around a lot? Have you ever used cocaine or other hard drugs?). Agnos said he was merely turning the tables on reporters, who often ask politicians such questions. In any case, the questionnaire generated a fair amount of publicity for Agnos, who said he was doing it all as part of his research for an article for us. But the hard part — the thinking through and writing the article — never got done. Agnos says he hasn't had time. Richardson's explanation is that few legislators are literate and that Agnos hasn't got a staff aide smart enough to write the article for him. We disagree, but it would be nice to have some evidence that Richardson is wrong.

State Treasurer Jess Unruh's much-quoted line about how he would have no friends in politics today if he'd killed all his political enemies yesterday came to mind recently when U.S. Senator Alan Cranston named Unruh chairman of Cranston's California presidential campaign. For those who recall such business, Unruh and Cranston used to be sworn enemies. Among other things, Unruh ran Pierre Salinger's successful campaign against Cranston in the Democratic primary for U.S. Senate in 1964.

Sierra Club lobbyist John Zierold says there's a German word for what's going on in the Legislature today concerning all those special interest bills that would help various land developers get around state and local zoning rules. (See story, page 309.) The German word, according to Zierold, is "Einselgesetz," and it means "one person law." Zierold says it was coined during the waning days of the Weimar Republic, when the law was so bewildering that some citizens got special statutes enacted exempting themselves from all of it.

Aware of the admonition about people in glass houses, we still can't resist pointing out this misspelling in a recent press release from the California Community Colleges: "Chancellor, legislators warn of educational qaulity decay."

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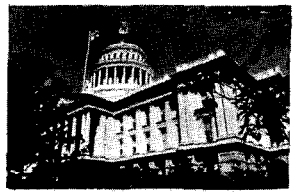

Capitol review

July 15th, 1983

On one side, a new Republican governor, George Deukmejian, determined to reduce the role of government and — like a new cop on the beat — to prove that he won't be pushed around. On the other side, the Legislature's Democratic majority, edgy and unsure of what voters want but sworn to protect the social and environmental programs that it has developed through the years. Between them, a state budget, the document that sets a course for government during the year ahead.

In other words, there were plenty of reasons at hand last month for another of the budget deadlocks that have been occurring almost annually at the Capitol since 1969. In fact, there was one more reason than enough: a reapportionment initiative that would surely reduce, if not erase, Democratic majorities in the Legislature and in the state's congressional delegation. Anxious to defeat the measure, Democrats challenged the governor not only with the budget itself but by inserting a weapon against the initiative in their budget package. When the 1983-84 fiscal year began July 1st with no state budget in place, there was little surprise.

Although the deadlock was not surprising, its consequences were new. In the past, few real people were hurt by delays in passage of a budget bill. Continuing appropriations kept money flowing to the unemployed, to welfare recipients and to others during the deadlock period, the longest of which — in 1980 — had lasted 16 days.

But under a law that took effect this year, the payments stopped at once. Among the hardest hit were some 650,000 Democratic constituents, that is, persons receiving unemployment and disability aid. Democrats immediately approved emergency legislation to restore those checks, but the governor and his Republican allies in the Legislature, wishing to keep pressure on the Democrats for a full settlement, refused to go along. However, on July 11th, a federal judge in Sacramento stepped in and restored the unemployment checks. And on the 13th, the governor, facing the possibility of similar action in the state courts, signed legislation restoring the disability checks as well. A day later, the state Supreme Court ordered payments for welfare recipients as well. But many others remained unpaid, including the doctors, hospitals, pharmacists and others providing health care for the poor.

Clear money issues

The money issues were relatively clear. Democrats wanted new taxes to support higher levels of state spending, including increased aid for the public schools. Deukmejian, having campaigned on a pledge not to raise taxes, said he would veto specific budget items and/or the school bill until the total package was down to acceptable size, about $22 billion in general fund spending.

Specifically, Democrats were behind a $27.2 billion budget including general and special funds, about $1.2 billion more than Deukmejian wanted. Additionally, they support a $950 million school aid and reform bill, about $150 million more than the governor eventually proved willing to spend. Initially, Democrats sought Deukmejian's approval of a complicated plan that would have forced local governments to raise the sales tax by a penny, thereby reducing their need for state aid and allowing the state to take that aid money, nearly $1 billion, for itself. Democrats dropped the plan June 28th after Deukmejian promised a veto but revived it later as the deadlock continued.

Meanwhile, there was the dispute created by the Sebastiani initiative, the reapportionment measure promoted by Sonoma County Republican Assemblyman Don Sebastiani, a member of the prominent winemaking clan. Essentially, the initiative, which formally qualified for the ballot July 6th, would erase the district boundaries drawn by Democrats during the lame duck days of former Governor Jerry Brown's administration. Generally speaking, those lines protected incumbents of both parties and tended to assure Democratic majorities in the Legislature and the congressional delegation for years to come. Sebastiani said his goal was to create "competitive" districts, that is, districts that could be won by either Democrats or Republicans. However, the result was sure to be a sizeable loss for Democrats.

To many Democratic lawmakers, the initiative threatened much more than the loss of their jobs. For if the party's legislative majority were to be reduced significantly, or lost altogether, there would be little or nothing left in the state to protect liberal programs and policies from what appears to be a continuing conservative tide. This is so because the Democratic Party itself is a weak organization, unable to compete with the GOP at the all-important business of raising campaign funds. However, Democrats in control of the Legislature not only can raise money from the state's special interests but can furnish themselves with taxpayer-supported campaign organizations in the form of legislative staff.

Once the initiative qualified, the next step was Deukmejian's. If he did nothing, the measure would appear on the June 1984 ballot, allowing the Democratic boundaries to be used in the 1984 elections and thereby opening the measure to serious court challenge. However, if the governor put the issue before voters this year, by calling a special election in December, then the Sebastiani lines could be used in 1984.

Trailers

To prevent the latter, Democrats initially inserted a budget provision withholding funds for the special election. However, the provision appeared to be unconstitutional. The next step aimed at boosting Democratic turnout for the election so as to increase chances for the measure's defeat at the polls. Thus, Democrats inserted another provision in the budget package (budget bill and a so-called "trailer" bill), this one of national significance. If there is a special election before the regular 1984 primary, they said, California's presidential primary election would be held at the same time. When

Continued on page 306

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WHEN CITIES LURE BIG LEAGUE SPORTS

By A. G. BLOCK

The Legend of Candlestick Park was born one bright July afternoon in 1961, during baseball's annual All Star Game. Although San Franciscans already knew of its peculiarities, the All Star Game showcased Candlestick for a national television audience. In the ninth inning, gale force winds roared across the field, causing National League pitcher Stu Miller to balk a runner home. Not that the balk was all Miller's fault. As he started his wind-up, the wind blew him clear off the pitcher's mound. Because of the high winds, the game turned into what one baseball writer called "that weird nightmare."

Candlestick Park, located on a spit of land jutting into San Francisco Bay, is not so much a ballpark as a monument to what can go wrong when cities try to attract a professional sports franchise. Nor is Candlestick the only example in California. For the past 25 years, cities like Oakland, San Francisco, San Diego and Los Angeles have shown that the desire to get or keep a team often leads to deals and decisions that later prove costly and embarrassing.

Past examples, however, don't seem to cool the ardor of other California cities that want professional sports. Sacramento, for instance, may soon consider a stadium deal that will provide far more immediate benefits to a group of developers than it will to local taxpayers.

Candlestick Park is perhaps the ultimate major league irony. Built in the 1950s to help lure the then-New York Giants *to* San Francisco, Candlestick is now cited by the Giants as the main reason why the team may move *from* San Francisco.

Basically, Candlestick is a terrible place to watch or play baseball. At night, it's cold and often foggy. Most afternoons, that infamous wind swirls around the playing field, unnerving any player who tries to field a fly ball or pop up. It is the only park in the country where wind-whipped flags on adjacent poles often point, not in the same direction, but directly at each other.

So, why did the city choose such a place to build a ballpark? Because, in 1957, when the Giants expressed a desire to get out of New York, San Francisco needed a stadium plan, and needed it fast. Other cities, notably Minneapolis-St. Paul, also were bidding for the team, and owner Horace Stoneham wouldn't even talk with San Francisco until a plan lay on the table. Seals' Stadium, the city's old downtown ballpark, wasn't big nor fancy enough for the Giants to accept it for a permanent home.

Stoneham's demands put San Francisco in a bind. They needed at least 75 acres of land, enough to accommodate a 40,000-seat stadium and 12,000 parking places. A committee, appointed by then-Mayor George Christopher to find a site, came up with Candlestick Point, 67 acres of which were conveniently owned by one of the city's leading citizens — contractor Charles Harney. For a price, Harney would sell them the land and, for another price, his company would build the stadium. At the time, there were grumblings about payoffs (a grand jury later absolved the city and Harney of wrongdoing), plus suggestions that, considering the weather at Candlestick Point, other sites might be more suitable, but those suggestions and grumblings were lost in the clamor for a team.

Argued Christopher, "The land costs alone (for a downtown site favored by some officials) would have been more than $33 million. We bought Harney's land for less than $3 million." And, he added, the legal battles required to condemn downtown land for acquisition would have added a lengthy delay. The Giants wouldn't wait.

In retrospect, the rush to build Candlestick has been a

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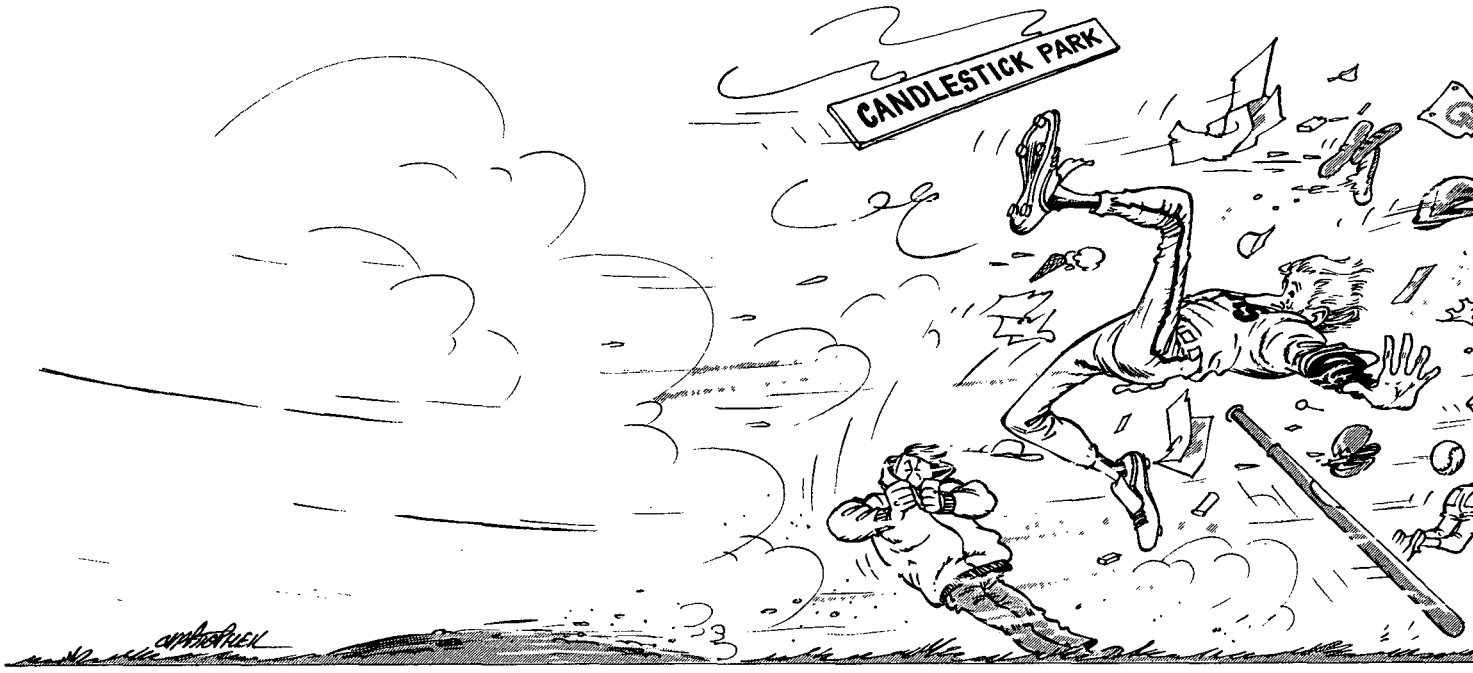

disaster, for the team and for the city. Although the Giants have compiled one of baseball's best won-lost records over the past 25 seasons, they annually draw only mediocre attendance. As a result, Horace Stoneham found it impossible to make a profit. Bob Lurie, who bought the team from Stoneham in 1979, insists that he, too, loses "tremendous amounts of money" every season.

Lurie blames Candlestick and is behind a campaign to have the city replace it with a new, downtown stadium, preferably one with a dome. Without that new stadium, the Giants insist, the team cannot survive financially in San Francisco. The unenviable choice for the city: spend as much as $75 million for a new stadium or lose major league baseball.

Dodger blue

San Francisco's experience doesn't mean that all stadium deals turn sour. In Los Angeles, the city gave land in Chavez Ravine to Dodger owner Walter O'Malley in the '50s in exchange for old Wrigley Field in Los Angeles, O'Malley's privately owned minor league ballpark. As a result, Dodger Stadium is privately owned, and the city does no more than collect taxes from what has been the most financially successful franchise in baseball history.

Which is not to say publicly owned stadiums can't do well.

To the south, just such a stadium in Anaheim has done very well, for both itself and its community. Last year, for example, revenues from the "Big A's" operations turned a $1 million profit for the city, according to stadium manager Bill Talley. In addition, Anaheim's ability to lure football's Los Angeles Rams away from downtown Los Angeles (beginning with the 1980 season) generated enough money to pay for a stadium expansion plus add to that total profit.

"Acquiring the Rams has enhanced the city's image on the national level," adds Talley.

Anaheim Stadium was built in 1965-66 for its other tenant, baseball's California Angels who last year set an American League attendance record with over 2,800,000 fans.

Even though Anaheim sailed away from the Rams' deal fat and sassy, its success has a darker side. For when Anaheim lured the Rams away from the Los Angeles Coliseum, it began a chain of events that led, eventually, to an all-California tug of war over yet another football team — the Los Angeles (or, is it Oakland?) Raiders. The example of the Rams and Raiders shifting from one city to another shows that getting a sports franchise is no guarantee that a city will keep it. More expensive bidding may be required.

Cold-blooded dollars

After the Rams signed that agreement with Anaheim in 1979, Los Angelenos were embarrassed and angry over the loss of part of what many considered their civic identity.

"Cold-blooded dollars drove the Rams away," claims Gilbert Lindsay, a Los Angeles city councilman and president of the Los Angeles Coliseum Commission. "Anaheim gave them everything they wanted. They (the Rams) wanted to run the city, and we weren't going to let them do that."

Stung, the Coliseum went shopping for a replacement team. Their eyes wandered north, toward the Bay Area where the Raiders had played before sell-out crowds in Oakland since 1960. But, in order to get the Raiders, Los Angeles had to steal them, much in the same way that Anaheim had stolen the Rams — with cold-blooded dollars.

Lindsay doesn't see it that way.

Sure, he agrees, the Raiders stood to make more money in Los Angeles than in Oakland, but that wasn't Los Angeles' problem.

"Los Angeles is a big city, one of the greatest sports cities in the world, and we deserved an NFL team. Not any old expansion team, but a team with a name," Lindsay insists. "And, we deserved it more than Anaheim or Oakland, or any of those other little cities around."

But Los Angeles County Supervisor Pete Schabarum, also a Coliseum commissioner, thinks the Coliseum paid too high a price to lure the Raiders south from Oakland.

"The deal the Coliseum entered into with Mr. Davis (Al Davis, owner of the Raiders) is not a deal that any prudent businessman would have entered into," says Schabarum, who adds, "That's about as mildly as I've ever explained it."

According to Schabarum, the Coliseum gave the Raiders a $6.7 million dollar "sweetener" to entice the team south to Los Angeles, three times what Schabarum thinks was justified to pay the team's "moving expenses." The rent charged the Raiders, he adds, was "several percentage points below" what other Coliseum tenants (USC, UCLA, a

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United States Football League team and the Olympic committee) paid. Plus, the Coliseum agreed to share the cost of operating the stadium on game-days, a benefit not given to other tenants.

The deal immediately caused problems for the Coliseum. UCLA promptly pulled out and now plays home football games in Pasadena's Rose Bowl, a move that Coliseum general manager Jim Hardy says cost the Coliseum $350,000 per year in revenues. But that wasn't all. USC, the USFL's Los Angeles Express and the Olympic committee all demanded, and received, a reduction in rent (from 10 to 8 percent of gross revenue) to reflect that charged the Raiders, plus the same deal on game-day operating costs. Schabarum isn't sure of the total loss to the Coliseum, but says one way to judge is that the stadium now loses money while, until two years ago, it turned a profit.

Nor was the revenue contract all the Raiders got, Schabarum explains. Owner Davis was given carte blanche to construct as many "luxury boxes" as he wanted inside the Coliseum and to keep all revenues from those boxes, including money generated by other events such as the 1984 Olympic Games. That deal outraged the Olympic organizing committee. Believing it had a contract for all revenues from the Games, the committee threatened to pull out of the Coliseum, a move that Hardy indicates would have bankrupted the stadium. Republican Senator William Campbell of Hacienda Heights, a Coliseum commissioner, stepped in at the last minute to help negotiate a settlement, but it still cost the committee $3 million to buy back rights they thought they already owned. The Coliseum, Schabarum says, had to assure the Olympic committee that the stadium would bear the final cost by reducing the committee's rent.

The biggest loser

But the biggest loser was Oakland, and the Oakland-Alameda County Coliseum, a stadium built in 1966 just for the Raiders (former baseball owner Charles Finley did not move his Oakland Athletics there from Kansas City until two years later).

"The loss of the Oakland Raiders has meant $600,000 to $700,000 net revenue loss per year," says Ray Ward, general manager of the Oakland Coliseum. "That represents 25 to 30 percent of our total, annual revenue." Although the Coliseum handles over 250 events a year, Ward adds, football brought the most revenue per event.

The revenue, Ward says, is generated by rent, plus a share of food and beverage operations and parking dollars.

Although the Raiders played the 1982 football season for the first time in Los Angeles, the issue is far from resolved. The team was allowed to play in the Los Angeles Coliseum only after winning an anti-trust suit against the NFL, which tried to block the move. The league is appealing that decision, all the way to the United States Supreme Court, if necessary, according to league executives. A reversal could jerk the team back to Oakland.

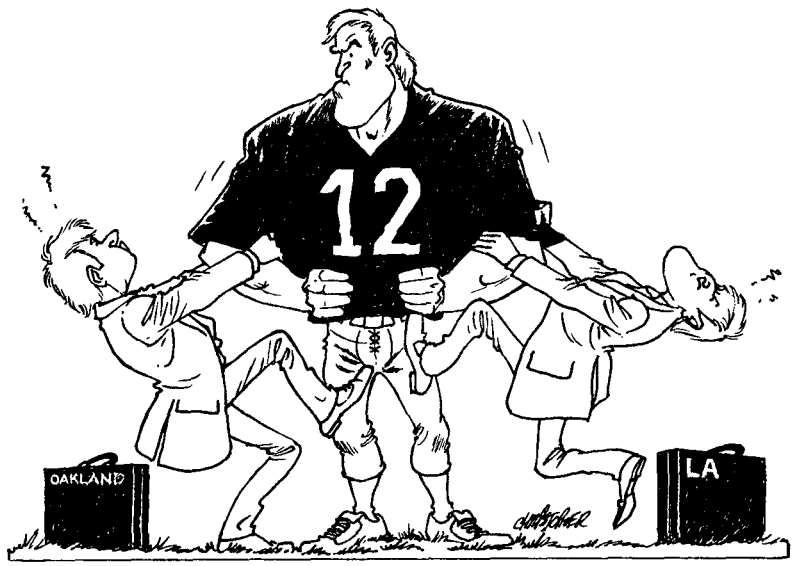
And last year, just to complicate matters, the city of Oakland filed an eminent domain action against the Raiders in order to return them to its Coliseum. The loser of that decision also plans to appeal, giving the Raiders' saga more twists and turns than the Long Beach Grand Prix and proving that attracting a sports franchise is only half the battle. Keeping it is the other, and perhaps more costly, half.

The fight over the Raiders is a fight on several levels: between Al Davis and the NFL; between two stadiums; between two cities. Through their stadiums, both Los Angeles and Oakland hope to follow the example set by Anaheim and generate additional dollars for city treasuries.

But professional sports teams do not guarantee a flow of money into a city's treasury. Sometimes, as the city and county of San Diego have shown, operating a stadium for those teams can mean a loss.

San Diego built Jack Murphy Stadium (then called San Diego Stadium) in 1966, and professional football's San Diego Chargers have played there since the 1967 season. Baseball's Padres arrived on the scene as a National League expansion team in 1969. Since the early 1970s, the Chargers have been a successful franchise, drawing a consistent 90 percent of capacity until four years ago when they began to sell out every home game, according to stadium manager John Hoaglin. The Padres have been less successful, although they have drawn better than a million fans for nine straight seasons (not counting the 1981 strike year) and last season enjoyed the best attendance in their 14-year history — 1,607,516. The stadium is also home for the San Diego Aztecs of the North American Soccer League.

But despite revenues generated by the Chargers, Padres and Aztecs, Jack Murphy Stadium lost money until three years ago. Since the stadium is owned and operated by San Diego, that loss meant an operating subsidy from the city's budget. According to Hoaglin, the subsidies ranged from a high of $800,000 in 1970-71 to $400,000 in 1977-78. The



stadium would still lose money, he says, if it relied solely on sports.

"We were able to put $200,000 into the general fund last year," says Hoaglin. But, he adds, the profit came, not from professional sports, but from rock concerts, a jazz festival, a rodeo and motocross — and from increased ticket prices.

In Sacramento, the arguments for hurrying to get a team have a familiar ring. According to Mike Seward, executive vice president of the Chamber of Commerce, "If Sacramento has major league sports, we'll go on the map. The quality of life will be better. We'll be able to attract the national headquarters of various corporations. We'll develop a can-do attitude among the people. Building a stadium has to be the top priority for community development for Sacramento."

An expensive luxury

But before Sacramento can attract a team, adds Seward, it must have a stadium or arena, expensive luxuries that Sacramentans have already expressed a desire not to pay for. In 1979, voters rejected a stadium-related bond issue.

Now, however, a group of developers has offered to build

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and operate a stadium and arena complex at no cost to the city.

The developers own a 1600 acre parcel inside the city's northern limits that is currently zoned for agriculture. City planners say that development there would invite urban sprawl (with all the smog and service costs that brings) and seriously undermine the city's ability to manage its growth. It is there, however, that developers want to construct a 55,000-seat stadium and 20,000-seat arena.

But first, they want a favor from the city: a rezoning of their entire parcel and not just the land needed for sports. Estimates are that a rezone from agricultural to light industrial would increase the value of the parcel from $6000 an acre to between $40,000 and $87,000 an acre. In response, developers contend that they need that profit to finance the proposed sports complex.

The developers insist their real interest is to bring professional sports to Sacramento and, to show their sincerity, they recently purchased the Kansas City Kings, a financially troubled franchise in the National Basketball Association. Presumably, if they get a rezone and build an arena, they will move the team to Sacramento.

However, the question of a basketball arena is not the major issue. City officials say they will not even consider rezoning for that alone. The issue is whether the city can attract a major league baseball or football team. In a recent report, the Chamber of Commerce, which supports the rezoning, contends that the city could have both a major league baseball and football team by the end of the current decade.

However, interviews with baseball and football league officials indicate that neither sport will soon expand and only one existing franchise, baseball's Minnesota Twins, has expressed any interest in moving. All indications are that the Twins will end up in Tampa where an ownership group recently bid more than $24 million to acquire the team.

Typical of many quotes on the question of expansion was this made by Blake Cullen, administrator of baseball's National League.

Said Cullen, "When we turned down Toronto (in 1976), that may have put the cap on our expansion. Toronto was the ideal place for us to go (because it would have created a natural rivalry with Montreal, an NL franchise since 1969)."

Even if, against all odds, Sacramento did attract a team, rezone the developers' land for a stadium and get a privately built sports complex, it's still no free lunch. To rezone the land is to buy urban sprawl and the costs it will generate for years to come.

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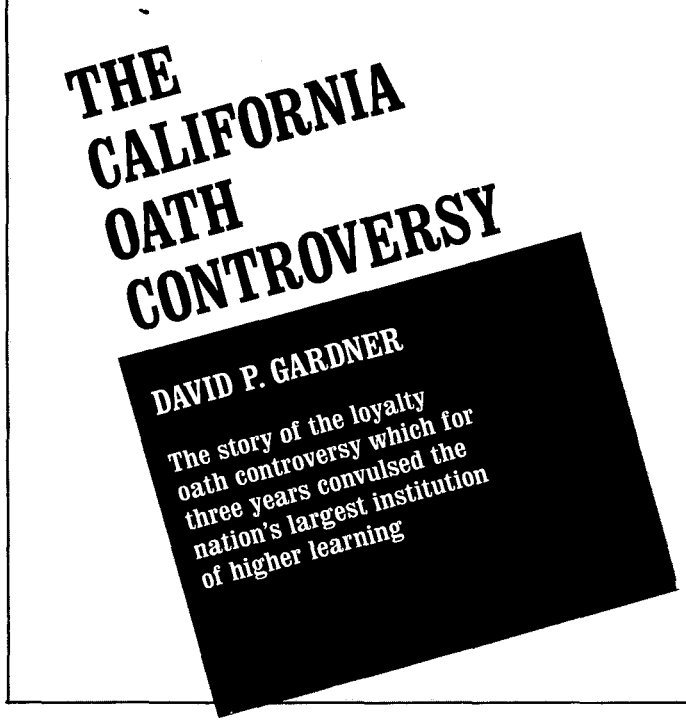
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The Los Angeles Olympics: a pot of gold, or a pot of trouble?

By KENNETH REICH

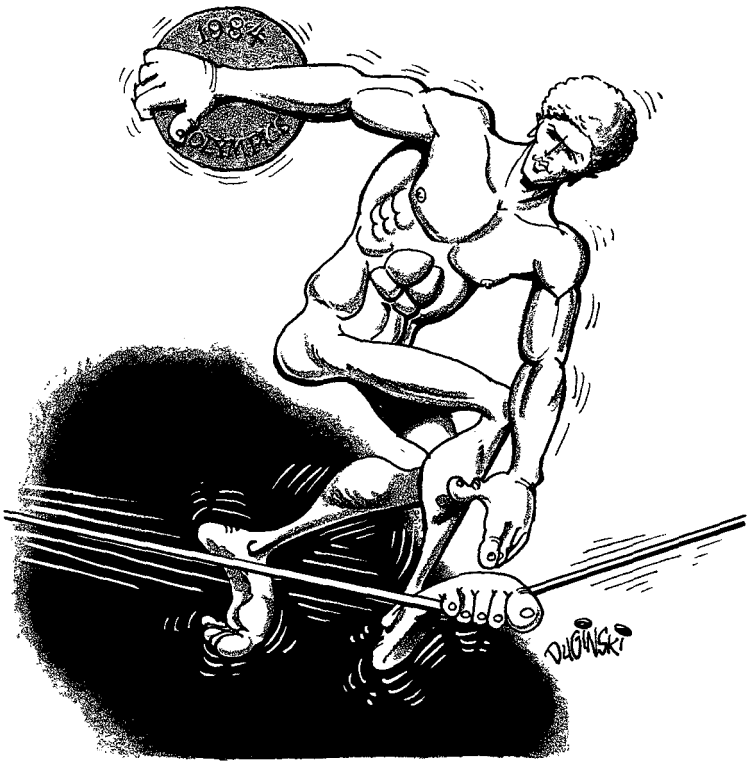
California politicians beware. For all cities and states which host them, for all the politicians behind the hosting of them, the Olympic Games are a risk.

The West Germans know this. They planned the 1972 Munich Games as a symbol of moral recovery from Nazism. The security guards were to behave and even to dress in low key style. This would be the opportunity for a peaceful, prosperous Germany to show itself off in the best possible light. But when the Games took place, a handful of terrorists responsible for the seizure and murder of 11 Jewish athletes turned the German dream into a nightmare. The Munich Games are remembered mainly for this terrible act.

Mayor Jean Drapeau of Montreal also knows the risk. His political reputation was seriously damaged by the financial debacle of the 1976 Games. Before acquiring the Olympics, Drapeau was known as a miracle worker for his city. His 1967 Montreal Expo had been hailed as a great success. He had won plaudits as a master builder. Everything he touched seemed, for Montreal, to turn to gold. And when he gave his colorful assurance, "The Olympics can no more have a deficit that a man can have a baby," there were few who questioned him. But the Montreal Games ran a billion-dollar deficit. The taxpayers of Montreal and the province of Quebec will be paying the bill through their taxes until the end of the century. The great Olympic stadium Drapeau built cost an outlandish $800 million and its sliding roof has never been completed satisfactorily. An official court inquiry found instances of Olympics-related corruption reaching high into Drapeau's office.

And, the Soviets know. They planned for a splendid, problem-free 1980 Moscow Games to show the world the triumphs of the Communist system. Instead, they ran up against an American-led boycott, engendered by the Soviet invasion of Afghanistan, that threatened to cripple their efforts. Ultimately, the Games went on. But 65 countries stayed away, and the whole thing turned into one of the greatest political crises ever to surround the Games.

These examples of trouble by no means exhaust the list. The 1968 Mexico City Games were preceded by a massacre of student protesters. The Montreal Games were boycotted by 28 African countries and also saw the unceremonious turning away, in violation of Olympic rules, of the Taiwanese team. The 1980 Lake Placid Winter Games had a transportation crisis that sorely embarrassed local officials. The Winter Games scheduled for Denver in 1976 were effectively booted out of town several years earlier by an electorate that voted against the expenditure of public funds on them. The vote was a blow to the careers of some political leaders and boosted those of others, including environmentalist Richard Lamm who later became governor of Colorado.



So Los Angeles Mayor Tom Bradley, the man more than any other responsible for bringing the 1984 Games to California, and President Reagan and Governor Deukmejian, both of whom have gradually given the Games more and more support, have to be aware that if things go wrong, it could be embarrassing for them.

All three have indicated they plan to be on hand at the opening ceremonies. All hope to bask in the international limelight of a successful Games. All have already participated in Olympic functions. But at the same time, all three have taken some cautionary actions that show they are aware of the political risks.

The White House, for instance, recently hired retired Army Col. Charles A. Beckwith, leader of the 1980 attempt to rescue the American hostages in Iran, to do a comprehensive survey of security preparations for the Los Angeles Games. Reagan this year asked Congress to appropriate $69.3 million, including $50 million in military contingency funds, as a federal contribution to the Olympic security effort. The President obviously wants to make sure the security plans are adequate and that this money is properly spent. He has sent one of his top assistants, Michael Deaver, to Los Angeles Olympic headquarters several times to keep tabs on what is happening. One-tenth of the entire manpower of the FBI, 700 men, has been assigned to the Games in the summer of 1984 and FBI Director William Webster has disclosed that the Army's crack

Kenneth Reich is a reporter for the Los Angeles Times.

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Delta anti-terrorist team will be held in readiness to intervene should it prove necessary. Reagan and other federal officials seem very alert to the possibilities of embarrassment for themselves should there be a security incident in Los Angeles.

For Deukmejian and Bradley, the cautionary actions have been aimed at holding down costs. According to Kirk West, Deukmejian's Secretary of Business, Transportation and Housing, the governor "doesn't want us to have another Montreal."

Although Deukmejian is prepared to spend some state money on the Olympics, the moves will be in the nature of shifting California Highway Patrol personnel into Los Angeles for the Games or refocusing state tourist promotion efforts to take advantage of the influx of foreign and domestic visitors, rather than making new net expenditures. Several weeks after West spoke, it was revealed that on May 4th, the California Highway Patrol had informed the private Los Angeles Olympic Organizing Committee that it would not be able to provide escort service for athletes traveling to competition sites from the Olympic villages at USC and UCLA.

When the governor can grant a cost free favor, he seems more than willing to do so. He recently offered to make the California Highway Patrol's academy at Bryte, outside Sacramento, available for construction — at the Olympic committee's expense — of temporary ranges for shooting events should the committee's plans to develop ranges at the Prado Recreational Area in San Bernardino County fall through. The offer of the academy as a backup allowed the committee to abandon unpopular plans to develop an out-of-state site, in Las Vegas, for the shooting events.

On the spot

It is of course Mayor Bradley who is on the most continually sensitive political spot as regards the Olympics. It was he who pledged on January 13, 1978, as part of the formal Los Angeles bid for the 1984 Games, that "a significantly different approach" would be adopted toward the Games in Los Angeles, compared to past, more extravagant Olympics.

"Arrangements are to be spartan," Bradley said in responses prepared to a questionnaire from the International Olympic Committee. "The Games are to be financed from receipts from the Games themselves, from funds to be secured from other levels of government, from other income-generating programs and from private contributions . . . Every reasonable effort will be made to accommodate the needs of the IOC, the International Sports Federations and the United States Olympic Committee. However, all final decisions must be reserved to the local organizing committee pursuant to contractual agreements."

When the international Olympic authorities insisted, at Athens in May, 1978, that the Los Angeles city government assume formal liability for putting on the 1984 Games, Bradley, with backing from such city councilmen as Bob Ronka and Zev Yaroslavsky, refused. Since Los Angeles was the only bidder for the 1984 Games, the mayor was in a position to demand compliance with his terms. And after several months of hesitating, and a threat at one point by Bradley to ask the city council to withdraw the city's bid for the Games, the IOC finally knuckled under, absolved Los Angeles of liability and recognized that private businessmen would run the Games.

The management group, which also raises money for the games, is known simply as "the Los Angeles Olympic Organizaing Committee." Its president is Peter V. Ueberroth, former owner of a national travel company.

That same year, 1978, 73% of those Los Angelenos voting approved a city charter amendment that banned most all municipal expenditures on the Games unless they were reimbursed directly out of Olympic revenues. The mayor had somewhat reluctantly joined in supporting the amendment, which had been pushed by Ronka, Yaroslavsky and then-City Controller Ira Reiner.

Even Bradley's idea of soliciting aid from the federal government to build Olympic facilities finally was abandoned. The mayor ran into political flak when he proposed in 1979 a $141.2 million federal aid package. Polls showed that Los Angeles residents opposed use of even federal money on the Games, and the Carter Administration balked at endorsing the aid request in Congress. Some Los Angeles congressmen even opposed it, warning that such funds, if obtained, would come out of other grants to the area. The mayor — who incidentally had two years earlier estimated the cost of the facilities at only $33.5 million — finally beat a retreat and since then has stuck closely to his original spartan concepts for the Games. The Olympic president, Ueberroth, indeed is fond of telling audiences that only about 5 to 6% as much will be spent on the Los Angeles Games as the Soviets spent on the Moscow Games.

Within fiscal bounds

A number of polls, dating back to 1977, have indicated that this cost cutting is popular with the electorate. After losing Denver as a site, the IOC began to require that any city applying for an Olympics either take an advance poll or hold a referendum to indicate popular attitudes toward the Games. The official Los Angeles poll, taken by the Field organization in the summer of 1977, showed that while at least 70% of the residents surveyed wanted the 1984 Games in principle, only 35% wanted them if city or county government funds were to be spent on them. The vote on the charter amendment, of course, confirmed this finding.

The position of the mayor and the private Olympic committee leaders, adhering to their pledges to keep the Games within fiscal bounds, has preempted other politicians who might have been inclined to make political hay out of questioning the Games. It has largely disappeared as a Los Angeles public issue, except for occasional statements from such politicians as GOP Rep. Bobbi Fiedler and Democratic state Assemblyman Richard Katz, both from the San Fernando Valley, who are inclined to raise objections whenever the Olympic committee slips and begins to solicit public funding for certain security operations. Despite such security funding, it appears at this point that private sources may fund as much as 90% of the cost of the 1984 Olympics.

There is some evidence, incidentally, that the Games are more popular in the black and brown minority communities than in more affluent white areas. Black and Hispanic lawmakers have generally given vocal support to the Olympics, while the skepticism that has been expressed has come mostly from predominantly white areas in the San Fernando Valley and elsewhere. Proposals by the mayor and others to locate some Olympic events in the valley were subjected to sharp criticism there and finally withdrawn.

So the Los Angeles Games are not much of a political issue now. But they could suddenly become one if any kind of crisis were to arise. Television producer David Wolper, a leading member of the organizing committee, said during the frequent 1978 city council debates over terms for bringing the Olympics to Los Angeles that it does not require much of an excuse for the city's politicians to make an issue out of the Games. Municipal politicians in particular, he said somewhat uncharitably, often have little to debate but taxes and garbage collections. The Olympics are a much more glamorous topic, he added.

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Steve Merksamer: "I've prepared my whole life for this."

By BOB SYLVA

Steve Merksamer is so diligent, efficient, and painstakingly deliberative, to say nothing of being a lint-picker about his appearance and aplomb, that it's easy to imagine him taking a briefcase to bed while wearing three-piece pajamas. He exudes competency like a strong aftershave.

All of which makes it difficult to reconcile the fact that as a young boy growing up in Sacramento's affluent Land Park, Governor Deukmejian's most trusted, responsible, and best-pressed aide was something of an imp — and a likeable one at that.

Looking at the 36-year-old Merksamer today, with a matching pen and pencil set in his shirt pocket, a baritone voice that belies his medium build, and a measured manner that borders on the rehearsed, one can only envision a boy whose childhood pursuits were perennial apple polishing, stamp collecting, and getting beat up.

Not so. Some digging around in the old neighborhood reveals that little Stevie, though hardly a candidate for reform school, was not beyond some heated feats of daredeviltry.

One stunt of Mersakmer and a companion was to play a form of "chicken," in which they would shoot flaring matches into a vacant lot across the street from Merksamer's house. The object of the game was to see who could wait the longest before furiously stamping out the ensuing blaze. One time, however, things got a bit out of control, and neighbors had to be alerted to help prevent a general block bonfire.

Although such pranks are surprising — given the Merksamer of today — they are not really out of character. For beneath Merksamer's studious cool is a core of combativeness, a quickness to confront, that suggests the boy who years back delighted in testing his own and others' strengths of will. And for a man of such inclinations, what better job than the one he has now?

As chief of the governor's 85-member staff and overseer of day-to-day operations, second-in-command to Deukmejian himself, Merksamer is primarily responsible for seeing to it that all the governor's policies are carried out. But from the day of Deukmejian's election, there has been only one policy of overriding concern: to hold state spending in line so as to avoid higher taxes. And, of course, this has involved almost continuous confrontation with the Democratically controlled Legislature. The battle has been well chronicled and, at the moment, the Deukmejian forces seem to be ahead.

So it is, therefore, that Merksamer appears to be a man most happy in his work. Leaning back in his chair, he casts an appraising eye about his tidy office. Every prematurely grey hair is in place, and his breath comes in leisurely intervals. To say he's content is to note that Capitol Park has trees.

"I'm very comfortable being here," says Merksamer. "I don't know why that is, but I feel like I've prepared my whole life for this." Suddenly pensive, he adds calmly, "It's all very normal."

Merksamer, in many respects, *has* prepared his whole life for public service. And it's easy to see him as a boy, dreaming — as he did — of one day being a United States senator, standing on his back porch, lowering the register of his voice, and stiffly orating to his dog.

But it was not Republican common sense that inspired young Merksamer. Ironically, it was lofty Camelot and the liberalism of the New Frontier. John F. Kennedy was Merksamer's boyhood idol. Not only did Merksamer read every book on the Kennedy administration, he even pleaded with his father to send him to an exclusive prep school so he, too, could claim some button-down breeding. (To show the newness of Merksamer's Republican roots, Steve's mother, Claire, held a fundraiser in her home for Democrat Adlai Stevenson in 1956.)

A young Republican

But Merksamer's liberalism was not to survive his teens. By the time he left that exclusive prep school — Robert Louis Stevenson in Monterey, where he was student body president — the young Merksamer was a die-hard Republican. What's more, he was willing to work for the cause.

In 1966, when Ronald Reagan made his first run for governor, Merksamer headed Sacramento County's "Youth For Reagan." At Claremont College, he was president of "Young Republicans." After graduation, he worked for former Republican Assembly Speaker Bob Monagan and for the GOP lieutenant governor at that time, Ed Reinecke. Meanwhile, of course, he was getting to know the Reagan people as well as Reagan himself.

But no one these days is the compleat government official without a degree in the law. Merksamer got his in 1975 from McGeorge School of Law in Sacramento and shortly thereafter went to work for the California Department of

Bob Sylva is a reporter for the Sacramento Bee.

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Justice. Bright and ambitious as ever, he rose through the ranks and, in 1978, met and impressed the newly elected attorney general, George Deukmejian. The rest is history.

Around the Capitol, Merksamer gets generally favorable reviews, though he is not without detractors. Probably the most knowledgeable onlooker is Democratic Assemblyman Gray Davis of Los Angeles who, having been Jerry Brown's chief of staff during most of the former administration, knows what the job is all about. Of Merksamer, Davis says: "He's a straight shooter, works hard and enjoys the governor's complete trust, which is the most indispensable part of the job." Davis also credits Merksamer with helping to develop some initial cooperative spirit between Assembly Democrats and the Deukmejian administration. "I've encouraged him to spend time with legislators, and he seems to be doing that," Davis says.

B.T. Collins, who succeeded Davis as Brown's chief of staff, was provocative as usual but also spoke well of Merksamer. "He's not a loud mouth like me, but he gets things done in his own quiet way." Concerning other differences between them, Collins said that Merksamer is shorter and doesn't drink as much.

"It's not my style," grins Merksamer. Also, he adds, he has never bought a Democrat a drink.

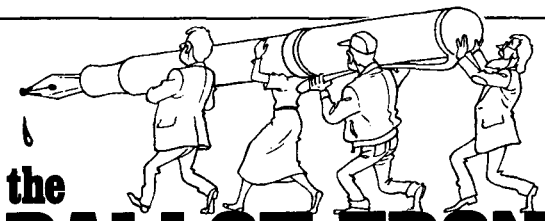
Growing pains

Merksamer's biggest problem seems to lie with Assembly Republicans, many of whom disliked Deukmejian's "tax trigger" compromise with Senate Democrats last February and were dismayed by his loophole-closing proposal in May. In the latter case, they say, he failed to warn them properly of what he was about to do. GOP leader Bob Naylor of Menlo Park chides Merksamer for the loophole flap, but indicates that relationships are improving. "Steve's a quick learner. He'll do fine." Assemblyman Bill Leonard of Redlands, the Republican specialist on fiscal affairs, says the problem was "growing pains, a matter of getting to know each other."

Others, speaking off the record, were less charitable. A GOP staff aide who is familiar with members' thinking says that Merksamer is the least-liked member of the governor's staff. "He's sharp and he's intelligent, but he's too defensive. He never admits he's wrong." But, says the staff aide, there's hope. "I think he's getting a bit more humble."

Other off-the-record observers note that Merksamer just isn't one of those open, affable, back-slapping types whose presence often reduces tension and smoothes the way for negotiated solutions. His most recent governmental experience, they say, comes from the warfare of political campaigns and the structured environment of the Justice Department. What he needs is more experience in other areas of government.

But, even as he gets it, Merksamer remains the governor's main man, clearly succeeding in his chosen profession. Nor is he the first successful member of the Merksamer line. His grandfather, Samuel Merksamer, was an Austrian immigrant who, after a boyhood in Brooklyn, came to Sacramento in 1929 and built a single pawnshop into one of Northern California's most successful jewelry store chains.



the BALLOT FRONT

A roundup of statewide initiative proposals. (Signatures required and deadlines are in parentheses.)

In circulation:

• **WELFARE** — an initiative statute that requires welfare recipients to work as a condition of relief and prohibits the state after July 1, 1986, from making welfare payments larger than the average such payments made by the nine next-most-populous states. (393,835, December 19th)

• **GAMBLING AND LOTTERIES** — an initiative constitutional amendment that requires the Legislature to authorize local lotteries for all cities and counties, authorizes legalized gambling for the cities of Adelanto and Clearlake, creates a Public Gaming Control Commission to oversee gambling and lotteries and requires that funds earned by the state from these activities be used for public education. (630,136, December 19th)

• **NUCLEAR WEAPONS** — an initiative statute that requires the governor to write the president to urge United Nations control over all nuclear weapons. (393,835, December 19th)

• **MAXIMUM SALARIES FOR STATE OFFICIALS** — a constitutional amendment to limit the salaries paid to all state legislators, the governor, statewide constitutional officers and justices of the California Supreme Court. (630,136, November 21st)

• **LEGISLATURE, RULES, PROCEDURES, POWERS, FUNDING** — an initiative statute to specify membership on Senate and Assembly committees, to require a two-thirds vote of each house and specified legislative committees on rules, committee assignments, appointments by the Assembly speaker and disbursements of funds, to reduce (by 30 percent) legislative support appropriations, to limit future growth to the same rate as overall state spending and to require public reports and audits of the Legislature. (393,835, October 7th)

• **BALANCED FEDERAL BUDGET**— an initiative statute requesting Congress to call a constitutional convention to pass a requirement for a balanced federal budget. (393,835, September 16th)

• **SPACE STATION** — an initiative statute mandating the governor to deliver a statement to the president requesting a permanently manned space station be established by NASA before 1990. (393,835, October 17th)

• **MARIJUANA-HEMP** — an initiative statute (the 13th) drive to legalize and provide amnesty for personal use of marijuana for persons 18 and older. (393,835, October 14th)

• **UTILITY RATES** — a constitutional amendment that requires a 50 percent increase in gas and electric lifeline allowances to residential users, higher energy allocations to medically eligible users, 30 percent higher lifeline allowances to, among others, senior citizens and agricultural users; requires rate structures be redesigned so that larger users pay larger per unit costs for consumption of gas and electricity and prohibits, before 1988, lifeline rate increases beyond those of January 1st, 1981. (680,136, October 17th)

Qualified for next election:

• **REAPPORTIONMENT OF ASSEMBLY, SENATE AND CONGRESSIONAL DISTRICTS** — an initiative statute to repeal Democratically drawn boundary lines approved by the Legislature in January and replace them with districts drawn by GOP Assemblyman Don Sebastiani. (Qualified, July 6th)

Source: Secretary of State March Fong Eu.

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Samuel's two sons, Walter and Ralph, joined the firm, known as DeVons Jewelers. But, says Merksamer, by the late 1970's, with the chain numbering 10 stores, "philosophical differences" began to develop between his father, Ralph, and his uncle, Walter. Though Steve Merksamer had no active role in the business up to that time, he was nonetheless called upon to mediate a soul-wrenching division of the family properties.

Merksamer is proud of the job he did. "The split was done in 90 days with no audit and no litigation," he recalls. His father got five stores and his uncle got five (since renamed "Merksamer Jewelers"). But there was to be no family reunion. According to Merksamer, the families rarely speak today.

Merksamer's father could never understand his eldest son's passion for public service, continuously prevailing upon Steve to join his two brothers in the family business. But Merksamer resisted and says he spent "thousands of hours" in counsel with his family, trying to make them appreciate his goals. Noting that his practical-minded father always told him that there was no future and no money in government, Merksamer — emitting a rare laugh — quips, "At least now he realizes there's a future." (And, well, a modicum of money. As chief of staff, Merksamer earns $63,624 a year. He also maintains an equal share in the family business.)

Of his father, the dutiful son says, "He's the fairest person that I know, and has remarkably good judgment. He keeps his own counsel, and always does what he thinks is right."

Of his dentist wife, Linda, the devoted husband says tenderly, "She's an extremely talented person whose number one priority is our family." He makes a point of being with her every night for dinner. Curiously enough, Linda Merksamer, who detests politics, was a registered Democrat until she met Steve. "I convert everyone," he smiles wryly. They have a two-year-old son.

Cautious and aloof

Of himself, Merksamer agrees with the popular assessments of his being cautious, controlled, and disciplined. "But I'd also like to think I have integrity," he adds encouragingly. "And I hope I'm perceived by my colleagues as being fair and consistent."

How about also being arrogant and aloof, to say nothing of being callow, as those critics charge? "I'm strong-willed but not arrogant," rebuts Merksamer, a bit stung. "I can see the aloof part. I follow my own counsel, and so does the governor. It's one of the things we have in common."

Another term that might apply to Merksamer, though he would strenuously resist it, is idealistic. Dreamily so. Almost like the wide-eyed Kennedy Democrat he once was. Talking on about his favorite topic, George Deukmejian, Merksamer literally rhapsodizes: "He's done more to restore my faith in the political process than any other individual or experience. I was getting out," he states flatly, referring to his firm decision to enter private practice after his stint in the attorney general's office.

"I never intended to get back into this (a staff job). I've been in politics since I was 18. In significant positions," he emphasizes "I used to go to Reagan's cabinet meetings. I knew all the people. Once I wanted to run for office myself. I even had backing in the community. But I don't want to run anymore." Realizing his blanket declaration, Merksamer quickly recants, "Well, who knows? Maybe that will change, too."

Continuing on, he complains, "Sometimes well-motivated people who enter the political process change. They lose sense of what they're doing. The end becomes to stay in the process at any cost, rather than to fashion public policy rather than to do what you think is right."

Finally, Merksamer is asked, simply, just what makes him an effective chief of staff? What wisdom does he provide the governor? It's the one question that he can't easily answer. Or won't. He stumbles and grows oddly embarrassed. "Let's just say," Merksamer says formally, "the governor has confidence in me to carry out his programs."

He may also have cited his skill in interior decorating. Leading his guest on a tour of the governor's office, Merksamer happily points out all the new touches in decor: the regal blue rug, the restoration of the cabinet room, the old chairs, pictures, all the remnants from the Reagan Administration that Merksamer personally ordered out of storage and put back in place.

Opening the door to the governor's private office, Merksamer notes proudly that everything is just as it was when Ronald Reagan was governor. Leaning a hand on the thick oak desk that once belonged to Associate Supreme Court Justice Frank Richardson, Merksamer reveals, "George is so humble that he really feels uncomfortable with all this." But, as he says, at least one person on the new governor's staff feels right at home.

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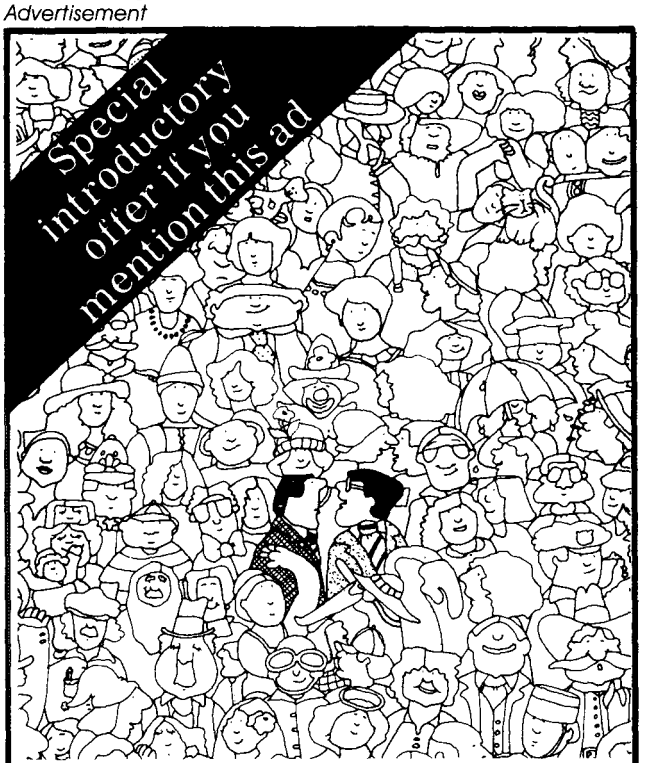

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Absentee ballots, a new frontier in California electoral politics

By HAL STEMMLER

It's a new phenomenon: the Legislature made it legal only five years ago. Governor George Deukmejian fooled the pollsters with it and snatched victory from the jaws of defeat. More recently, San Francisco Mayor Diane Feinstein used it to tighten her grip on her city's highest office.

Yes, it's the freewheeling use of absentee ballots, the new frontier of California's electoral politics. With it, a candidate may take the voting booth into a person's home, give a campaign pitch and leave with a vote in his or her pocket. But like any frontier, this one has its wild and wooly side. Law and order have not been fully established, and until the courts and/or Legislature adopt additional rules, or shut things down altogether, there is plenty of maneuvering room for candidates hell-bent on victory.

Traditionally, voting has been a private affair. After hearing all the arguments, voters enter a booth, mark their ballots and hand them to impartial officials who count the results. The absentee process changes all that by distributing ballots in advance of the election. Voters may make their decisions where and how they please, and — most importantly — with or without someone else looking on.

Absentee balloting, of course, is not new. It's been allowed in California for some 60 years. Before 1978, however, voters were supposed to have some valid reason for failing to make the polls on election day. But today the voter need not be ill or handicapped, need not live 10 miles or more from the polling place or have a conflicting religious commitment. In fact, the voter need not be absent. The process is wide open. "The absentee ballot shall be available to any registered voter," says the 1978 law.

The author of the 1978 law, former Democratic Assemblyman Richard Lehman of Fresno, says he introduced the measure back in 1977 merely to bring election statutes in line with practice. Lehman, now a congressman, explains that election officials have always lacked the time and money to check the validity of absentee ballot requests. Thus, because he saw different rules being enforced in virtually every county, he decided — as a member of the Assembly Elections and Reapportionment Committee — to change the law before it was thrown out by the courts.

However, at the same time Lehman was pushing his bill through the Legislature, Hispanic leaders in his district, frustrated by their inability to get out the Hispanic vote on election day, wanted to use absentee ballots to win elections. One of them was Victor Lopez, president of the Mexican American Association of Elected Officials.

Lopez, a city council member in the small city of Orange Cove, was running for mayor. Thanks to absentee ballots, he not only elected himself but brought two more Hispanics to the city council. Of his 485 votes, more than 200 came from absentees. Opponents charged that many of his absentee votes should not have been allowed, and they filed suit. But the Lehman bill became law in the nick of time, and Lopez was saved.

The absentee process works like this: Voters may apply for an absentee ballot at any time up to a week before an election and — under special circumstances — during the final week as well. Election officials respond by mailing ballots to those who have applied. The law says that except in those special circumstance cases (which are rare) the ballots must be distributed to voters between 29 and seven days before the election. After receiving the ballot, the voter may hold it for as long as he or she likes, except that it must be returned to election officials, either in person or by mail, before poll-closing time on election day. Officials then compare the signature on the appliction with the

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signature on the ballot. If they match, the vote is counted.

Clearly, the process gives candidates and their supporters an opportunity to play a key role. First, they may distribute absentee ballot applications, as Hispanics did in Fresno County in 1978. The Republican Party also did it during the gubernatorial election of 1982, but instead of handing out a few hundred applications, the GOP mailed them to some 2.4 million Republican households in the state. (See, "How Governor Deukmejian Won in the Mailbox," *CJ*, April, 1983.)

But now comes the crucial part of the absentee process. Although a voter has the application, the candidate must make sure that he or she will send it in to get an absentee ballot, vote the candidate's way and return the ballot to be counted. In 1982, Republicans knew who sent in applications because they had directed voters to mail them to the GOP itself. Party workers then relayed the applications to the proper election officials but not without first recording the names of those who had applied. Thus, shortly before the November election, workers were able to phone many applicants to see that they had received their ballots and were voting.

But the Republican effort, as important as it turned out to be, was primarily a direct-mail operation designed to deal with voters by the millions. Inevitably, it was remote and mechanical. To see what absentee balloting can become, one must look at the local level, where campaigning often becomes more intense and personal.

With absentee campaigns spreading like wildfire in Fresno County, Anna Beatie, a member of the Sanger City Council, unexpectedly found herself a loser in the 1980 municipal elections. With three seats to be filled, she came in fourth. Each of the three victors — Jose Marquez, Tanis Ybarra and Maria Davila — received close to 400 absentee votes, giving them slim victories. Beatie sued, noting among other things that a majority of the absentee ballots were picked up from voters by campaign workers for the victors, often after three or four visits, and were mailed by the workers instead of by voters. Also, she charged, workers often stood by the voter while he or she marked the ballot, indicating the names of candidates that they (the workers) supported. Such activities, she contended, were illegal.

A major decision

But in a major decision last year, a district appellate court in Fresno ruled against her, saying that voters could show their absentee ballots to third parties and that campaign workers could pick up ballots from voters and mail them to election officials. So long as there was no proof of fraud or tampering with the ballot itself, such third party participation in the process did not violate the constitutional requirement for secret balloting, the court said. "Nevertheless," the court warned, "because of the potential for wrongdoing, we suggest the Legislature reexamine the practice of absentee ballot solicitation."

Such warnings have come from others as well. Last December in Signal Hill, a city of 6,000 in Los Angeles County, gambling interests tried to pass an initiative allowing construction of a poker parlor. Although voters overwhelmingly defeated the initiative, local officials were upset by the proponents' use of absentee ballots. After stopping a young campaign worker and learning that she had been recruited from the nearby campus of Cal State Long Beach to collect ballots for $2 each, Mayor David Bellis became so irritated that he sent a letter to the Legislature.

In it, Bellis called for tighter rules on the use of workers who visit voters in their homes, not only to pick up ballots but to distribute absentee applications in the first place. According to Bellis, some voters didn't want absentee ballots but got them anyway, probably because they didn't know what they were signing when workers came circulating applications. Some voters said they signed just to get rid of the person standing at the door. Others boycotted the absentee ballot when it arrived, but then learned they were ineligible to vote in the usual way when, on election day, they appeared at the polls. Some absentee ballots were disqualified because the signature on the envelope did not match that on the application, probably, Bellis claimed, because spouses signed applications for spouses at the request of poorly informed campaign workers.

Not surprisingly, those who win by using the absentee process may lose by the same. For instance, Victor Lopez, the Orange Cove councilman who was elected mayor in 1978, was defeated last year by opponent Gene Pinedo's absentee votes. Lopez said he lost because Pinedo held his (Pinedo's) absentee ballot applications until the last possible moment before turning them in to election officials. Thus, says Lopez, the public listing of absentee voters did not contain the names of those recruited by his opponent until so soon before the election that he (Lopez) had no time to campaign for the votes.

But regardless of whether Lopez lost for such reasons or not, the heavy use of absentee ballots by both sides created an electoral success. City Manager Ismael Rodriguez estimated turnout at an eye-opening 80 percent. More than half the votes cast were absentees.

Local election officials seem to agree on one point: absentee voting is expensive. To check signatures and otherwise handle the absentee paperwork, San Francisco had to hire 20 to 25 temporary workers during Mayor Feinstein's recall defense last April and during Sala Burton's successful campaign in June to succeed her late husband, Phil, in Congress.

Local disputes

Indeed, the handling of absentee ballots by election officials may become an issue in the election itself. In Santa Monica last April, a conservative coalition charged that the city government, under liberal Mayor Ruth Yanatta Goldway, deliberately delayed processing absentee ballot applications gathered by conservatives. Not so, replied the city, charging that the conservatives had deliberately hoarded some 2400 applications until three days before the deadline for turning them in.

The fight moved into the courts, where an appellate decision eventually upheld the city. (The conservatives, who won the election, had contended that some late-arriving absentee ballots should be counted because of the city-caused delay.) But many feel that the flap raised by conservatives over the absentee issue helped them win.

For obvious reasons, absentee voting is a procedural cousin to the practice of conducting an election entirely by mail. Thus, the absentee rules (such as they are) surely will be affected by the outcome of a case involving a San Diego municipal election in 1981. The election, conducted by mail, saw voters reject a proposed convention center.

One opponent, San Diego businessman Robert O. Peterson, contended in his suit that mail ballots are unconstitutional because they "enable one voter to demonstrate to another person how he has cast his vote, and it opens the door to fraud, coercion, intimidation and undue influence — the very evils the constitutional requirement of secrecy is designed to prevent." In July 1982, an appellate court in San Diego agreed, though without overturning the election results, and the case is now before the California Supreme Court.

In response, the city and its supporters, including Secretary of State March Fong Eu, argued in effect that banning mail ballots would prohibit absentee voting and

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therefore would be unfair to those who could not get to the polls on election day. They also noted that the San Diego election brought a 60 percent participation rate, half again as high as the typical special election turnout. And, they said, the city's cost of $1.25 per vote for the mail election was considerably under the $4 to $6 per vote for other recent special municipal elections.

What might the Legislature do? Although no longer a member, Congressman Lehman, the man who started it all, says he thinks the law should be changed to outlaw third party handling of completed ballots. By telling campaign workers that they cannot visit voters' homes to pick up ballots, the law would automatically reduce chances that workers will look over voters' shoulders as voters make their choice. Mayor Bellis of Signal Hill agrees. "Remember," he says, "there is no campaigning allowed within 100 feet of a polling place."

An opposite trend

The trend, however, may be in the opposite direction. The Assembly Committee on Elections and Reapportionment considered two bills: one to limit third party handling, the other to make it easier. The committee approved the latter. Authored by the chair, Democratic Assemblywoman Maxine Waters of Los Angeles, the measure would allow campaign workers to pick up ballots from voters and deliver them to election officials. However, voters would have to be given a receipt.

The bill also would clear up some confusion over the deadline for accepting absentee ballots and would require campaigns that print their own absentee applications to get them approved in advance by the secretary of state, making life easier for city and county clerks. Another provision would require that voters submit absentee ballots within three days of marking them. However, the provision may be removed because of an incident during the Sala Burton campaign. After distributing absentee applications in senior citizen housing projects, Burton campaign workers were returning from seven to 10 days later to pick up the completed ballots. However, some voters completed their ballots immediately upon receiving them and then held them for the campaign worker's return. Under the bill provision, many of those ballots would have been disqualified.

In another area, lawmakers have already approved permanent absentee status for the handicapped, thus erasing the need for them to apply in advance of each election, and are considering adding senior citizens to the permanent absentee list.

In any case, until the courts and/or the Legislature lay down some new rules, absentee ballots promise to play an increasingly important role in California elections. At the state level, Republicans have made best use of them so far, helping elect a GOP governor. But Democrats will not stay behind. Speaking to a group of labor leaders not long ago, Assembly Speaker Willie Brown said, "The next time that absentee ballots are counted in this state, I want every person connected with organized labor, every person we can influence, to have voted long before election day."

NEW IN PRINT

The Gann Initiative: Analysis of Effects and Consequences, Senate Office of Research, 1100 J Street, Room 500, Sacramento 95814. May, 1983. 76+ pgs. $4.35. The report concludes that the proposed ballot initiative sponsored by Paul Gann, which dramatically alters the legislative process, would weaken the traditional lawmaking function by giving the minority party the power to block majority party legislation and by substantially curtailing the role of the assembly speaker.

Crime and Delinquency in California, Department of Justice, Division of Law Enforcement, 4949 Broadway, P.O. Box 13427, Sacramento 95813. 126 pgs, 1982. Annual compilation of state crime statistics from law enforcement agencies. As measured by the seven major crimes, the state experienced a 4.3% crime decrease from 1981 to 1982.

Report of Financial Interests Disclosed by State Constitutional Officers, Members of the Senate, Members of the Assembly (and) Members of the California Supreme Court, Fair Political Practices Commission, 1100 K Street, P.O. Box 807, Sacramento 95804. June, 1983. 82 pgs. No charge. Summarizes the financial interests disclosed by the state's principal elected officials during 1982, and includes gifts, loans, investments and property holdings.

Renewing Our Infrastructure: Workable Ways to Build and Maintain Public Facilities, Association of Bay Area Governments (ABAG), Hotel Claremont, Berkeley 94705. Jan. 1983. 77 pgs. $5.00. The report examines the deterioration of roads, sewers and similar public facilities in major metropolitan regions, and recommends new public/private partnerships to restore and maintain them.

Your Right to California State and Local Government Records, by Jerry Jeffe, Government Research, 815 N. La Brea, Suite 197, Inglewood 90302. 1983. 23 pgs. $3.50 plus tax. A guide to California public records and personal privacy laws and how to use them. Covers the California Public Records Act, the Information Practices Act, and the Legislative Open Records Act. Outlines which records are subject to public disclosure and which are exempt.

Racial Disparities in the Criminal Justice System, The Rand Corporation, 1700 Main Street, Santa Monica 90406. June, 1983. 128 pgs. $10.00 plus tax. A two-year study that says California courts impose longer sentences on blacks and Hispanics than on whites convicted of comparable felonies where criminal records are similar. Black inmates serve nearly 2½ months longer in prison than whites, while Hispanics typically serve five months longer than whites. The study makes comparisons between whites and minorities in more than 30 categories of offenders' behavior.

Director's Report, California Postsecondary Education Commission, 1020-12th Street, Sacramento 95814. June, 1983. 40 pgs. Analyzes the impact of budget cuts and the state's fiscal crisis on community colleges, the University of California, and California State Universities. Discusses program reductions at community colleges and the need for implementing student fees at UC and CSUC so as to avoid faculty layoffs and reduced course offerings.

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Farmersville: pride and uncertainty in California's rural cities

By ROBERT DEEN

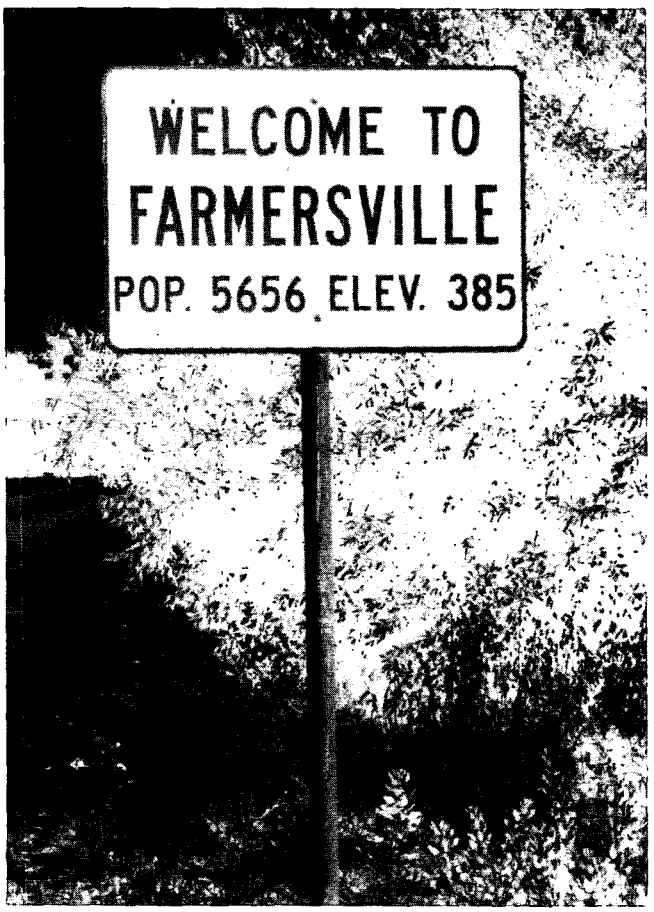
"Ruthie and Winfield scrambled down from the car, and then stood, silent and awestruck, embarrassed before the great valley. The distance was thinned with haze, and the land grew softer and softer in the distance. A windmill flashed in the sun, and its turning blades were like a little heliograph, far away. Ruthie and Winfield looked at it, and Ruthie whispered, 'It's California.'"

From *The Grapes of Wrath*

Tulare County and the San Joaquin Valley have not changed much since Steinbeck's powerful dramatization of dust bowl migrations. The orchards of walnuts, peaches and plums still stretch endlessly, punctuated by small dusty towns and empty rural roads.

On one warm Friday night, police officer Ron Hughart has come in on his own time to patrol for the shorthanded Farmersville police force. Hughart's grandparents, dust bowl "Okies" themselves, settled during the '30s in Farmersville, present population 6 000. He drives slowly past time-worn wooden houses, pausing to wave and talk with residents who sit on their porches, escaping the summer heat. The officer stops briefly at the town's "cowboy bar" — generally the source of trouble when there is any — and talks with patrons. He knows them all by first name.

As much as anything, officer Hughart's brand of personalized law enforcement symbolizes a passing way of life for California's small rural cities. With property and sales tax bases meager, the Farmersvilles, Live Oaks and Parliers have always been poor. Community pride, more than any economic rationale, separates them from the many unincorporated communities scattered across the valley. But five years after Proposition 13, the farmers and small businessmen who run these towns are facing a harsh reality. They may no longer be able to afford the benefits of local government, with all the expenses which it entails.



Farmersville Vice-Mayor Joe Alvarado is the antithesis of the rural stereotype. Poised, articulate, the assistant vice president of Farmersville's bank is also a member of the League of California Cities' Small Cities Advisory Committee. He lays out the bare bones impact of abolishing city government — the losses in law enforcement, local control, public services. But pausing occasionally to wave and smile at customers entering the bank, he discusses his real concern — the inevitable blow to community pride.

"There's something about being able to take care of your own needs, instead of going to someone else and asking for help," he says. "Pride is always a big part of what being a real city is all about."

Farmersville had planned for a new garbage truck, Alvarado explains, but the money wasn't there. Now the city council hopes to buy a used truck, but even those prospects are uncertain.

The vice mayor leafs dejectedly through a simple, one page pamphlet touting Farmersville as a place for industry and commerce to settle.

"This is three years old," he explains, "and after it was done we wanted to help the Chamber of Commerce do something better, something that would help us help ourselves by building a better tax base. We budgeted $1,000 for the Chamber, but then the money wasn't there. So we tried to put a little aside each year until there was enough, but we found there wasn't even money for that."

Alvarado puts the pamphlet away. Exeter, a nearby, more affluent town, is building a new shopping center, he says, and most of Farmersville's residents will continue to take their shopping — and sales tax revenues — out of town.

On October 12, 1960, the *Exeter Sun* reported that the newly incorporated City of Farmerville's first revenues were $50 donated by Councilman Jim Stevens, "as a reward

Editor's note: Robert Deen is an account executive with Roy Heatly/Associates of Sacramento, public relations consultants to the League of California Cities, an organization dedicated to raising more revenues for the state's cities, large and small.

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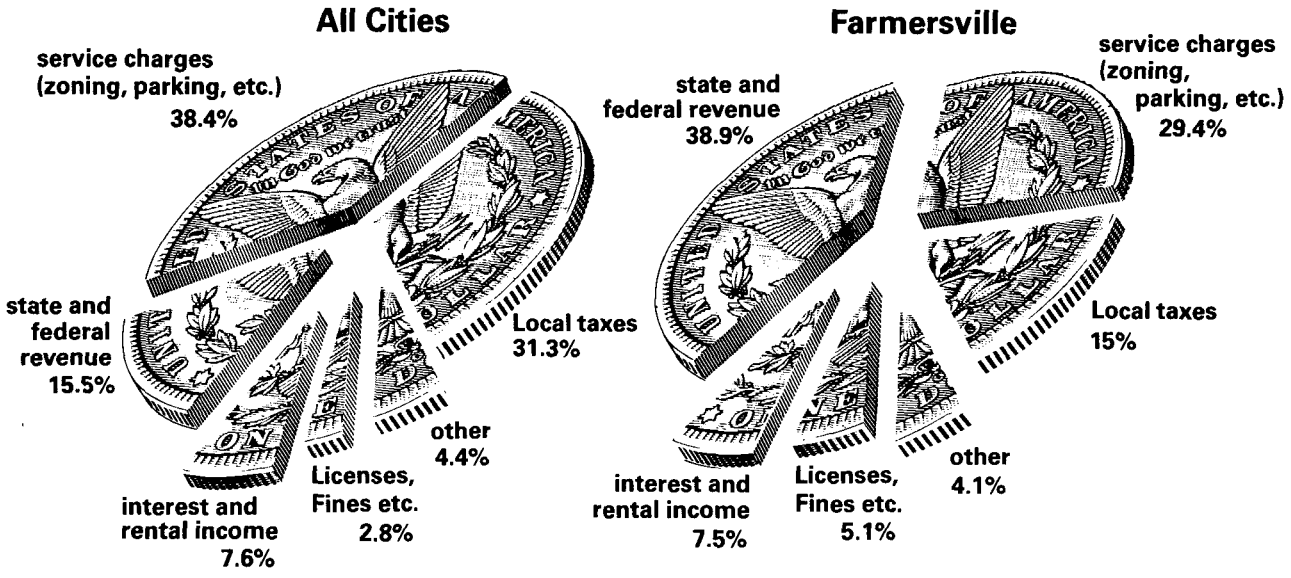

As this illustration indicates, Farmersville gets only a small portion of its money from the local sales tax and other such local revenues. Lacking the shopping centers and auto dealerships of bigger cities, Farmersville receives only 15 percent of its income from that source. The average for all cities is more than twice as much. Before the passage of Proposition 13 in 1978, Farmersville received additional local money from its property tax, but most of that is gone. Gone also are the state bail-out funds that once helped cities like Farmersville make up the loss. As a result, Farmersville has a much higher than average dependence (38.9%) on other forms of state and federal funds, such as the cities' share of various motor vehicle taxes, law enforcement support and community development grants.

for the apprehension and conviction of the person who tore down the first city limits signs less than 24 hours after they were installed."

"Boom Town"

Cleaning up the town was a major motivation for incorporation. Formerly known as "Boom Town," local taverns and a minimum of law enforcement attracted out-of-town rowdies and an unsavory criminal element. Twenty-three years later, the town is still trying to live down a reputation for violence it no longer deserves.

Law enforcement is the main concern of Eddie Shields, the local mail carrier who also serves as president of the board of trustees for Farmersville's schools.

"I've lived in unincorporated areas before," he says, "and I'm not going to again. I know what it's like. If we lose the police I'll move, as much as I love this little place. I won't live where I have to worry about my seven-year-old daughter walking two blocks to school, and without the police I would."

If responsibility for law enforcement must be returned to the county for fiscal reasons, Farmersville's ten officers would be replaced by a single county deputy sheriff, as before incorporation. Lacking the resources of more sophisticated and well-financed police departments, Farmersville relies heavily on its officers' familiarity with the community. A lifelong resident of Farmersville, Chief of Police Garry Meek has been on the force since 1965. His officers claim that when a burglary is committed, Meek not only knows who usually did it, but that he also knows why.

"He may not be able to prove it," says officer Hughart, "but he knows."

Although clearly proud of his officers, Meek is also honest about his concern for the department's future. Farmersville's police are among the lowest paid in the state, and it is difficult to keep officers with experience and training. Meek is also pleased with the used patrol cars he was able to buy from the county, although he knows they are not as reliable nor long-lasting as the new ones he had wanted. Meek also doubts the community realizes what is happening to the police force — the aging equipment, the inability to keep highly qualified, experienced officers, the growing possibility that the department may have to close its doors entirely.

"You can't really blame the people here," he says. "They still see the police car go by their house. They don't know the car has over 200,000 miles on it, that the officer has six months experience instead of ten years, or that he comes by twice a day instead of every hour."

And he adds, "Ever since Proposition 13, people have heard government cry wolf. You're going to lose this service, you're going to lose that. But somehow government always seems to keep going, cutting corners instead of closing up. I think the wolf's going to have to really bite them to get their attention." Meek surveys his aging fleet of police cars. "I think we've just about cut all the corners we can here, though," he says softly.

No Beverly Hills

John Longley, Farmersville's city manager, tends to view the city's problems in more abstract terms. "There's a basic inequity in some communities being able to afford local government because they happen to have a good sales and property tax base, where less fortunate communities cannot. Local government should be a right, not a luxury."

The state average for sales and property tax revenues to cities in 1980-81 was $135 per capita. Beverly Hills got $399 for each resident, Farmersville $25, the same ratio as between the per capita personal income of the United States and Peru.

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But local government in Farmersville, according to Longley, also means "being able to pick up the phone and call John, or Garry Meek, or Joe Alvarado to talk or complain about something. Everyone knows where we live. Our phone numbers are in the book." Longley is adamant on one point that, for him, disincorporation is not an option. "That's just giving up," he says. "We'll cope somehow."

Vice-Mayor Alvarado is less sure. "It's something we'll probably be forced to look at in the next couple of years," he concedes.

Disincorporation would mean going back to the county for services, a prospect viewed without enthusiasm by city and county alike. The town already contracts with the county for fire protection, but the county now plans to remove its fire engineers soon, leaving only a volunteer force.

"That pretty much says it all about relying on the county for services," says Longley, a volunteer fireman himself. In addition to Longley, the volunteer roster reads like a Farmersville "who's who," including Garry Meek and his seventeen-year-old son, several city council members, officer Hughart and others. Longley hopes that an upcoming "Save Our Firehouse" rally at the junior high school will convince county officials to reconsider.

Volunteer fireman and police officer Ron Hughart's ties to Farmersville are strong. He taught at the local elementary school before joining the police. John Steinbeck is his favorite author, and he refers to passages from *The Grapes of Wrath* as he indicates the town's points of interest — the new elementary school, Scottie's hamburger stand, the cardboard-lined shacks where he talks in broken Spanish with the children of illegal aliens working nearby fields.

Rounding a corner Hughart spots two men engaged in a heated argument. Across the street a group of little league ballplayers watch wide-eyed. By the time he pulls to the curb, Hughart has identified both men, including their occupations and where they live. He gets out to talk. One man, shaking a ball in his fist, points to the window of his house, while the little league team's manager listens red-faced. Hughart talks awhile, and the manager agrees to move his team to another diamond. "Thanks, Ron," says the homeowner.

"Yeah, thanks Ron," says the manager as Hughart tosses the ball across the street to the little leaguers.

"Thanks Ron!" they chorus as the officer walks back to his car.

Ron Hughart faces a dilemma of his own. Although he "loves this place and what I'm doing," he admits to feeling guilty. He wonders aloud if he should seek more lucrative employment that might provide a better life for his wife and two young children. In a way, his personal dilemma parallels that of many "Farmersvilles" across rural California.

"This is what I really want to do, and to be," Hughart says, driving down the quiet streets at dusk. "But it's the money, you know. This is something I may have to give up, because of the money."

The community leaders of California's small rural towns are beginning to find they face a similarly difficult choice, for a similar reason.

ROSTRUM

Cities and insurance

Regarding your July issue article, "Cities and Insurance" by Robert Fairbanks, I broker life and disability insurance but am definitely opposed to commercial involvement between government and business, regardless of the gains on each side. The eventual loss must be in the form of a takeover of everything by (government), leaving the cooperating businesses up the creek, along with everyone else. From the outside, it appears like the insurance companies found it prohibitive to perform home inspections prior to approval of a policy. This consideration has prevented any reduction of initial premium for proven good risks. Why not get government to do the inspections, on the promise of possible profits, while the carriers make out on the investment returns without risk?

SAUL GRITZ
San Diego

Dow Chemical

In "lessons learned from the Dow battle," (*CJ*, July 1983), Dow Chemical is described as ". . . one of the most enlightened on environmental issues." I cannot agree since recent testimony shows that Dow withheld information on the dangers of dioxin and sold herbicides containing that chemical to the Department of Defense and to the public.

Not realizing the dangers, the military used one of Dow's contaminated herbicides, Agent Orange, throughout southeast Asia. Dow could have shared their reports that dioxin was exceptionally toxic but chose not to.

If Dow was the enlightened chemical company, what are we to expect from the rest of the industry?

PETER LORENZO
El Dorado Hills

Education

Any time you discuss the crisis of education, you normally hear the obligatory comparison between the dedicated, hard-working and loyal teacher of old and the underworked and overpaid modern union teacher. Well, if modern teachers have it so good (working so few days a year, so few hours a day), why have so many teachers left the profession? And why can't we attract the best and brightest minds into teaching? Why have so many universities and colleges dropped education from the curriculum?

Why? Because, as a society, we have made the conscious choice to denigrate the teaching profession. "Those that can, do; those that can't, teach" seems to sum up American attitudes about education.

Frankly, we have the best education system that we are willing to pay for. It should be noted here that, in Japan, teachers start at the same salary level as do engineers. If we want highly educated, highly motivated people in education, we must pay for them. Unless we begin to realize that teaching is an honorable profession, deserving of respect, we will not attract the best and brightest into teaching.

So, let's stop blaming teachers for the decline in the American education system. Let's start blaming ourselves.

RONALD M. STEIN
Attorney at Law
Stockton

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A top LA reporter retires

Editor's note: One of the best known political reporters in California retired from the *Los Angeles Times* in June. He is Dick Bergholz, who at age 66, has completed some 45 years in the journalism business. Bergholz is an institution on the state's political scene, known for his incisive questioning and open derision of evasive or incomplete answers. However, his stories were clear and impartial, never reflecting any disdain. And for that, politicians gave him their respect.

What follows are excerpts from remarks at a Bergholz retirement breakfast staged by a group of political reporters known as the "Friday Group" (see following story). Among those who spoke were President Reagan (by phone), Assembly Speaker Willie Brown, Republican State Senator Bill Campbell (who was still GOP leader) and editorial cartoonist Paul Conrad of *The Times*. When it was done, Bergholz warned that he would continue writing on California politics.

OPERATOR: "Hello, this is the White House, one moment."

PRESIDENT REAGAN: Hello, Dick?

DICK BERGHOLZ: Yes.

PRESIDENT: Well, listen, it's a pleasure to join this Friday group for your breakfast meeting, even if I have to do it by telephone.

BERGHOLZ: Did you pay your required amount (Friday Group dues), Mr. President?

PRESIDENT: Ah, I paid at the office.

BERGHOLZ: How are you, sir?

PRESIDENT: I'm fine. How are you?

BERGHOLZ: Good. . .

PRESIDENT: Well, it gives me a good feeling to know that you're all there behind closed doors, and I'm three thousand miles away here in the Oval Office.

BERGHOLZ: You're absolutely safe.

PRESIDENT: For the next hour or so, you won't be writing bad things about California politicians, even those of us who are away on temporary assignment.

BERGHOLZ: That's right.

PRESIDENT: I know that you all gathered there today to do something besides eat bacon and eggs. This is kind of a special occasion.

BERGHOLZ: It is, sir.

PRESIDENT: Well, Dick, it's a special pleasure for me to join in this salute to the old man of California political writers.

BERGHOLZ: I don't feel so old, do you?

PRESIDENT: Well, it feels good for me to call someone else an old man.

BERGHOLZ: Well, if I made your day with that, that's fine.

PRESIDENT: I called (Republican campaign consultant) Lyn Nofziger the other day to tap his file of stories about you. He tells me that he doesn't have any because most of the time you and he weren't talking.

BERGHOLZ: That's not true at all. We were talking, but in a very loud voice.

PRESIDENT: I must say, he did say though, that contrary to what some people think, that you're a basically happy man, it's just that you're happiest when you're unhappy.

BERGHOLZ: There's some logic in there somewhere. Well, it's certainly nice of you to call. I appreciate it.

PRESIDENT: I'm pleased to do it. I'll never forget the time that you accused me of having a face lift. After a face lift there are always scars left behind the ears. The next thing I knew you had me by the ears.

BERGHOLZ: That's history.

PRESIDENT: You're strictly a pro in every sense of the word . . . You kept a generation of California office holders on their toes and that's the way it should be. This free press of ours, while picking on us politicians, it's still clearly the cornerstone of our system. So, let me join all your friends who are gathered there today and throughout California and wish you every happiness as you turn the typewriter in.

BERGHOLZ: I appreciate it very much.

PRESIDENT: God bless you and have that breakfast now.

LOS ANGELES MAYOR TOM BRADLEY: The President referred to the apparent anger which you seemed to express on many occasions as you talk to, as you interview people. I think, literally every politician in this room has felt or seen that kind of anger, anger in the questions that are asked. And you wait for the story to come out the next morning because you know that Dick Bergholz is going to rip you apart because he's already said in reply to your answer, bullshit. (laughter) Yet, the mark of Dick Bergholz, and I think this above all, is that the next morning that story will be reported with surgeon-like precision . . . You know that we are in difficult budget times these years, and it is typical that at a retirement party you give out a gold watch. Well this morning, I have no gold watch. In earlier times I did give out some gold-plated, or apparent gold-plated cuff links, but times are tough, Dick. And so, this morning, I give you the budget-restricted gold cuff link, one.

BERGHOLZ: Beautiful.

ASSEMBLY SPEAKER WILLIE BROWN: Dick, when we got the call that this event was to occur, the Legislature convened both sessions, both houses together, and there were 120 people who wanted to come down and make sure. As a matter of fact, as a three-year-old kid, in Mineola, Texas, it was required reading. Bergholz's column was printed in the annual publication called the *New York Colored Times*. You were the only syndicated columnist that was in that field. And in that newspaper it was under "creative writing." Which is probably where it should be in the *L.A. Times*,

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but that's neither here nor there. I was told by Bobby Metzger, my aide, that whenever you appear anywhere, make sure you give Bergholz something unusual to write about so that you can maintain his attention. He's ruined practically every press conference I've ever been in. He sits right in the front row and just as you say good morning, he says, Oh, shit! All of us are frankly sad to see you go. You have done well by most of us, even when you said things nasty to us. Your leaving has confused (Los Angeles Democratic Assemblymen) Mike Roos and Gray Davis greatly; now they don't know which table to sit at in the future (laughter . . .).

SENATOR BILL CAMPBELL (former Republican leader): I'd like to tell you what a pleasure it is to be here this morning, but honesty obviously prevents me from doing that. . . We in Sacramento were so excited to hear that you really were leaving . . . I don't think I can read resolutions, but I will begin here. Whereas (laughter) Mr. Bergholz began his journalistic career as a reporter for the *Ventura Free Press* and in 1941 he became the Sacramento correspondent, then a war correspondent, then worked for Associated Press, and then he served as political editor of the *San Diego Tribune* for a year, then worked for the *Los Angeles Mirror* as political editor for eight years, and finally for the *Los Angeles Times*. This man cannot hold a job. (laughter) Obviously, he moved about considerably, had a terrible career. But I think we have always felt, Dick, that you were sincere and hon-

The Friday Group: LA's unique breakfast club

By JERRY JEFFE

Sometime last June — no one seems to know the exact date — "The Friday Group" passed its 10th anniversary. Composed of 20 to 25 of the top political reporters and editors from Los Angeles and San Diego, the group meets every other Friday at the Sheraton Townhouse Hotel in the mid-Wilshire district of Los Angeles for breakfast with some political notable. Over the years, just about every notable in the state, and many out-of-staters who were just passing through, have shared scrambled eggs with group members and answered their questions in a generally relaxed and informal atmosphere.

Dan Blackburn, a reporter for NBC News and one of the group's founders, says that the meetings have generated many solid stories over the years. For instance, shortly after Ronald Reagan was elected president in 1982, one of his top aides, Ed Meese, gave group members the first description of how Reagan planned to push his programs in Washington. Also, when Republican U.S. Senator Pete Wilson was running for office last year, he made his controversial proposal for election of judges before the group.

But solid stories, though welcome, are not necessarily what group members are looking for. Through informal discussion, they may get information on issues and a sense of personality that cannot be gained otherwise. "I want to see them in operation," says Bruce Winters, editor/vice president of the *Daily News*.

On-the-record

Although Friday Group breakfasts are on-the-record, group rules try to protect guests from the distortions that can occur whenever reporters rush from some event to be first with a story on what just occurred. Thus, wire service reporters are barred from the group, as are reporters for all-news radio stations, who also work on short deadlines. Although television reporters belong to the group, cameras are prohibited at the meetings. However, guests may be asked afterward to appear before a camera that has been waiting outside.

Jerry Jeffe is a newspaper columnist in Inglewood who writes on state and federal government affairs.

Of course, guests are not the only persons protected. By blocking instant coverage, the rules see to it that something said at the breakfast may be presented as a fresh story on the evening news and in the next morning's paper. Indeed, the rules say that stories arising from the breakfast cannot be used before 3 p.m. of that day.

Blackburn, the acknowledged leader of the group, says he usually selects the guests himself but often is acting on the suggestion of a member. "I try to run things like a benevolent despot," he smilingly explains. Nor is there ever a shortage of potential guests, particularly during campaign years. "It's practically unheard of for a presidential candidate to come through LA without wanting to talk to the Friday Group," he says.

(Maybe it's the free meal that draws them. Group members, who pay dues of about $150 each annually, buy the breakfasts.)

The membership

According to Blackburn, he and others founded the Friday Group after seeing the effectiveness of a similar breakfast group in Washington. With him in the founding were Dick Bergholz of the *Los Angeles Times*, Tom Pettit and Robert Abernethy of NBC News, Steve Roberts of the *New York Times*, Leroy Aarons of the *Washington Post*, Curtis Sitomer of the *Christian Science Monitor* and John Dotson of *Newsweek*.

Besides Blackburn, current members from radio and television include Larry Attebery of KTTV-TV, Bill Stout and Jess Marlow of KNXT-TV, Helen Johnson and Saul Halpert of KNBC-TV, Heidi Schulman of NBC News and Warren Olney of KABC-TV.

Newspaper and magazine members include Ben Cate of *Time*, Eric Brazil of *USA Today*, Keith Love of the *Los Angeles Times*, Bruce Winters and John Marelius of the *Daily News*, Tom Elias of Scripps Howard Newspapers, Fred Epstein and Scott Kaufer of *California Magazine*, Linda Breakstone and Joe Scott of the *Los Angeles Herald-Examiner*, Bernie Jones of the *San Diego Union*, Kathy Macdonald of the *Washington Post*, Martin Kasindorf and Janet Huck of *Newsweek*, Marshall Ingwerson of the *Christian Science Monitor*, Bill Osborne of the *San Diego Tribune* and Jim Wrightson of the *Sacramento Bee*. Michele Willens of *California Journal* was a member until her move to New York.

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est and full of integrity running down through your by-lines. (laughter) I'm not going to say that we love you, Dick, but we do respect you, and we wish you a very, very good retirement. (applause)

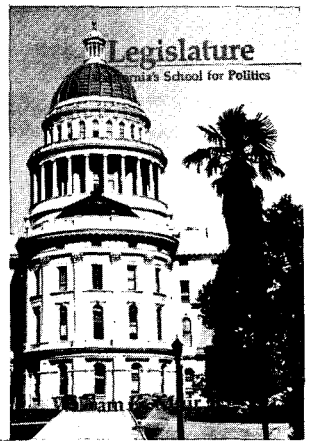
Los Angeles Times editorial cartoonist PAUL CONRAD: I have patterned my career after him. I always like to stand around him because it made me look pleasant. (laughter) I knew him when he was a young curmudgeon. . . I have learned from him. I didn't really want to. But everytime I did something wrong, he told me. And I'd like to thank him here and now for telling me about all those thousands of times that I was wrong. And it helped, it helped Dick feel better, mainly. . .

BERGHOLZ: . . . You know, when you people reach this point in your career, where you see a change coming and you can look at it as an end or a mid-life career change. I prefer to choose the latter. I don't see this as anything terminal in any sense at all. So, really, you're going to have me to kick around for quite awhile, as we continue to have Friday Group meetings and once in awhile you may see my bald head sitting back there in the corner and if it scares you, I'm sorry; if it encourages you to wisdom and perhaps a little candor, that's fine too. (Applause/ovation)

BOOK REVIEW

William Muir's exaltation of the legislature

By DUGALD GILLIES



The Legislature has been called a lot of things, and now William K. Muir Jr., chairman of the Political Science Department at UC Berkeley, says it's an educational institution. According to the title of his new book, it's "Legislature: California's School For Politics" (University of Chicago Press, $19).

Muir contends that the Legislature is a school, that its students are its members and that its teachers are other members, lobbyists, staff aides and just about everyone else who works or visits at the Capitol. And, he says, it works. The school broadens those who learn and those who teach, enabling them to produce better laws for the people of California.

An exaltation

Muir's theme is not original, but he develops it well, using personalities and issues which will be familiar to anyone who even casually follows legislative events.

Characters like Jack Knox, Alister McAlister, Bill Lockyer, Leo McCarthy, Herschel Rosenthal, Frank Lanterman, Bill Thomas, Randy Collier and many more march through the pages, challenging the reader to match their names with the book's many unattributed quotations and actions. For instance, who is the expert on education bills who used a national legislators' conference to pick up information on bingo?

To gather his material, Muir took leave from his academic post to work as a staff consultant for two Assembly committees during the 1975-76 legislative session. In the next year, he conducted in-depth interviews with selected members of the lower house. The result of all this is an exaltation of the Legislature (or, more correctly, the Assembly; the Senate receives scant attention), where Muir is rarely harsh. But his candor regarding some personalities might make difficult reemployment as a staff attache.

At times the narrative is tedious — too pedagogical, to use one of the professor's favorite expressions. Also, it is loaded with footnotes. But more frequently, it is lively and astute. For instance, Muir explains why lawmakers tend to support each other's bills. When a member fails to support a colleague, Muir observes, the colleague usually wants an explanation. But to give an explanation, the member must understand the bill. However, understanding requires time and effort, which many members cannot (or will not) give. Thus, the tendency to vote "aye."

Muir also observes that reelection fears don't make for hard workers in Sacramento. Hard work on issues makes enemies as well as friends, and enemies have longer memories. Meanwhile, the lazy or vacuous get reelected forever if they remain attentive to district details. Hard work in the Legislature, Muir suggests, results from a quest for knowledge, for the respect and power which attend that knowledge and from the desire to contribute and serve.

Although the professor almost believes the teaching and learning process to be more important than enacting just and necessary laws, this can be overlooked by any reader who wants a refreshing explanation of why some representatives vote as they do.

Dugald Gillies is a lobbyist for the California Association of Realtors and an amateur historian of the Legislature.

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FPPC's model campaign code fails to stop mudslinging

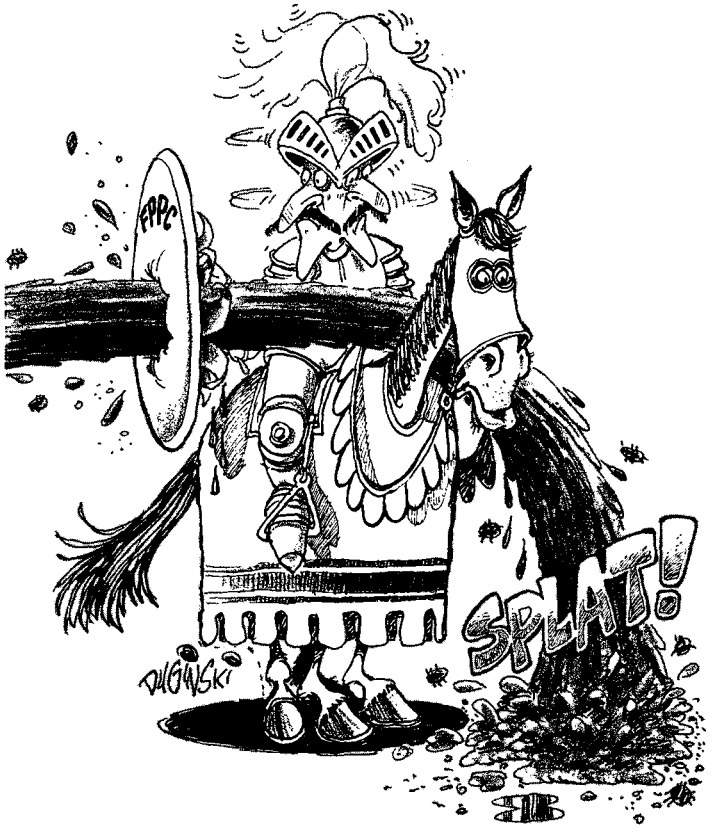
By JIM HAYNES

There is nothing very new about campaign mudslinging. Marc Antony used it, in an ironic form, to undo Caesar's assassins. Political machines, from Tammany to Daley to Nixon's tricksters, regularly splashed around large amounts of it. But on the whole, campaigns seem dirtier today, a result perhaps of more real dirt and the campaign's intrusive nature — the endless stream of 30-second television spots, piles of direct mailers that arrive daily on the doorstep, the enormous amount of media time and space dedicated to election politics.

What to do?

Last year, the California Fair Political Practices Commission, which enforces the state's political reform laws, made a proposal. After a series of hearings on California political advertising, it came up with a "Fair Campaign Practices Model Code."

Under that code, opposing candidates would agree to set up a panel composed of the candidates themselves, or their representatives, to review each other's campaign literature before distribution. The California League of Women Voters was to provide moderators for each panel. Material found to be false or misleading was to be publicly denounced. Thus, it was presumed, the candidate who used it would be embarrassed and hurt at the polls. League members urged compliance by all candidates, beginning with last year's November election.



But the plea, according to FPPC officials, fell largely on deaf ears. Robert Stern, the commission's general counsel, said candidates in only two races, one for the state Assembly and the other for Congress, adopted the code. This year, candidates in the Butte County city of Chico tried the code during an April city election.

Such small numbers would be less discouraging if results had been invariably good. Thus, over time, the code's use would expand as more and more candidates set up review panels. Eventually, the process would be used by a majority of candidates in the state. But results from the handful of examples were mixed, at best. In the two races last year, the candidates involved indicated that the process made little difference in their races. In Chico, almost all candidates agreed that the process had not prevented a dirty campaign.

In the Assembly race last year, Democrat Pat Johnston of Stockton, the winner, and Republican Doug Carter of Stockton, the loser, set up their three-member panel to monitor material during the crucial two weeks before the election. The panel was composed of a representative from each side and a jointly selected neutral.

But since both sides were already running clean campaigns, the panel had little to do. Neither side challenged the other's advertising. Johnston, saying he was the victim of a 1980 smear (a phony picture of him alongside a local Ku Klux Klan leader) was glad there were no repetitions. "The notion that a public person is fair game for any outrageous allegation concerning character is pretty frightful. It can affect your whole family. At least, these commissions slow it all down."

But Republican candidate Ed Zschau of Los Altos, winner of the 12th district Congressional race, took a different view. He contended that the review panel idea works only where it isn't necessary; that is, where the candidates are already running clean campaigns. "In an ugly campaign," he says, "one side will always find a way to get around the rules." According to Zschau, a diligent press can serve the same function as a fair campaign committee. With press scrutiny, he says, campaigns will police themselves.

Zschau's Democratic opponent, Emmett Lynch, first suggested using the code and setting up the review panel.

Jim Haynes, a reporter for the Sacramento Bee, *covers Chico and Butte County.*

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He said he thought it worked reasonably well but conceded that it wasn't necessary because Zschau ran what Lynch called an "upright campaign." Like Zschau, he said that the review panel is flimsy protection if one side wants to throw mud.

In Chico there were 11 candidates for three seats on the city council and all agreed to use the FPPC code. When candidates took out petitions for the April 12th election, they signed a pledge that called for an open and fair campaign, free of both character attacks on opponents and campaign material that distorted or misrepresented facts about them. Hopefuls also pledged to repudiate support from any outside group that violated the code. All campaign ads were to be submitted to a local Fair Political Practices Committee at least 48 hours before being used. The committee, made up of the 11 candidates, was supposed to meet weekly with members of the Butte County League of Women Voters as moderators.

But by the crucial final week of the campaign, the committee had virtually ceased to exist. Many candidates attended meetings sporadically; others had dropped out. One of those to go was Vice Mayor Shelton Enochs, who was seeking re-election. In a letter of resignation, Enochs — who was to be a winner — complained that other candidates had formed a coalition against him and turned the process into a sham.

However, Enochs' departure followed committee denunciation of an ad in his behalf. Published in the *Chico News and Review*, an alternative weekly, the ad claimed that two other candidates were tools of real estate interests that planned to dump thousands of dollars into the campaign. The ad had been placed by a worker for Tom Hayden's Campaign for Economic Democracy, which was backing Enochs. The ad had not been given to the committee for review, and Enochs joined the vote to condemn it.

Unreviewed ads also were distributed by anti-abortion groups in Chico. The pamphlets, placed on car windshields the Sunday before election, made vague allegations of "genocide" against eight of the eleven candidates and urged support for the remaining three.

By the end of the campaign, most direct mail ads were also going out without committee review, causing League of Women Voters president Marge Fredenburg to admit that the committee had lost control over the race. After the election, nine of the 11 candidates contacted agreed that there had not been a clean campaign. They divided on the question of whether things would have been worse with no committee at all. "There was very little, if anything, (the committee) could do about ad hoc committees masked by assorted names," says Michael Hart, a losing candidate.

Orange County

None of this should be surprising to anyone who's been following elections in Orange County. There, in March 1978, the board of supervisors passed an ordinance creating a Fair Campaign Practices Commission to oversee countywide races. The five-member commission differs from the newer FPPC panels in that it is composed of appointees (one by each supervisor) rather than the candidates themselves. However, its function is much the same.

In any case, after less than five years of operation, the county panel is moribund, with three vacancies on the board. Joan Riddle, a former commissioner whose four-year term expired last January, says the county had seen some vicious campaigns over the years and maybe things weren't quite so bad when the commission was working. "But even with the commission," she concludes, "things got out of hand."

What sort of problems arose? Perhaps the most difficult was one of the most frequent. Candidates would file charges of some sort against opponents and then distribute material saying that the opponent was under investigation by the commission.

There is, of course, another approach to the whole problem of dirty campaigns. Authored by Democratic Assemblyman Art Agnos of San Francisco, it is a proposed constitutional amendment that would remove from office any candidate who won by using lies. Essentially, the losing candidate would have to prove that the winner lied about the loser and that the lie caused the loser's defeat. Already approved by the Legislature, the amendment will go before voters in the next statewide election.

Although Agnos believes that such steps are necessary to prevent dirty campaigns, others believe the idea goes too far. Prosecuting candidates for lying, says Congressman Zschau, might violate their rights to free speech.

PROFESSIONAL SERVICES DIRECTORY

Coming in the September issue, professional services advertising will be available. Whether you are a consultant, research firm, law firm or realtor, the Professional Services Directory is an inexpensive way to reach over 50,000 Californians each month. Below is a sample format:

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Advertisement

Continued from page 286

Deukmejian and Republicans in the Assembly balked at the provisions June 29th, the budget was stalled.

And as if all that weren't enough to occupy everyone at the Capitol, the Senate's Republican leader for the past five years, William Campbell, lost his job. Speculation was that he had finally offended too many of his GOP colleagues with his personal wheelings and dealings in special interest causes, such as the efforts of a Canadian firm to sell air tankers to the state. However, the ouster was largely the work of Campbell's continuing philosophical foe through nearly all of Campbell's leadership years, Senator Bill Richardson of Arcadia.

Campbell's removal came during a July 1st private meeting of the Senate's 14 GOP members, nine of whom voted to replace him with Senator James Nielsen of Woodland. Campbell's ally, Senator Ken Maddy of Fresno, was also removed, being replaced as caucus chairman by freshman Senator John Seymour of Anaheim. Richardson, whose confrontational style has irked many colleagues over the years, will sit as one of three caucus "directors" to oversee the new leadership. The other two are Jim Ellis of San Diego and Ollie Speraw of Newport Beach.

Robert Fairbanks

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Phil Burton's legacy: knowledge equals power

By MICHAEL GREEN

During a 3½ hour interview just a month before he died, Phil Burton, relaxing in his cluttered Washington office, cautioned against believing that he was some kind of wizard or political genius able to perform god-like feats. The legend had been fed, most recently, by his redrawing of California congressional districts to pick up six new Democratic seats. Yet, the drawing remained so faithful to Constitutional mandates that not one of the Burton-created districts was more than 223 away from the ideal population figure of 525,698. The effect was certainly brilliant and diabolical, whatever Burton's claims about intent.

Yet, he continued, the supposed "miracles" he accomplished were no such thing. They were, he insisted, the result of quite logical, pedestrian and ordinary applications of normal human thought and work. Any intelligent person, who was willing to work, could do the same thing.

Burton's point becomes even more important because of his death. In many eulogies, he is again made to sound like a giant whose many legislative accomplishments resulted from superhuman skills. In fact, he set a standard for effective, individual legislative performance against which to measure any popularly elected representative. Granted, not many meet it, but none can say it's beyond his or her power to achieve.

In setting the standard, Burton defied all the prevailing popular myths of what the successful, modern, plastic politician must say and do and be like in order to be effective and get ahead, something akin to Willie Loman's pathetic credo in *Death of a Salesman:* "Be well liked and you will never want."

Michael D. Green is a freelance journalist in Washington, D.C.

A legislative giant

Though intensely respected, Burton was not particularly popular with colleagues. By many, he was actively disliked, and he could exasperate even his closest allies. He was not tactful, friendly, handsome, white-of-teeth or blow-dried of hair. One of the poorest members of Congress, he never had money to throw around. He never had very much formal power with which to bestow favors. Finally, his brand of liberalism was regarded as out of date and out of fashion.

So why, at the time of his death last April, was Burton universally regarded as a legislative giant? How did an unpopular, abrasive, unfashionable liberal loner like Phil Burton become so powerful in Congress?

"With Phil, knowledge was power, not money or position," says veteran California political pro Lucien Haas. "He took a complex subject and studied it and mastered every detail until he knew more about it than anybody else." And, he didn't employ a lot of experts, Haas insists. "He was the expert."

As much as anything else, this zeal for knowledge — about everything and everyone political — is what made Burton so strikingly successful a legislative figure. That Burton was able to master complex details of highly technical legislation created the image of him as a mental giant among colleagues less inclined to study and work.

The result: Burton often knew more about how a bill affected a colleague's district than did the colleague. He simply had done his homework, for a quarter of a century. Burton took the human capacity to learn and applied it constantly to a single purpose: mastery of a subject for political advantage and influence.

It was this advantage and influence that brought him, in 1976, to within one vote of majority leader, the last step before the speakership. Ironically, some observers felt Burton was denied the post because the vote was a secret ballot, a reform he had rammed through the House to help depose old-line committee chairmen. Had the vote been open, those observers insist, Burton would have won the job.

The numbers game

Although he never tired of trying to figure out who had voted against him, Burton defended the secret ballot reform. The process was, for him, as important as the end result. He was as insistent about the means as about the ends. "Be operational," was his constant advice to like-minded colleagues.

For example, last December, when freshman Democratic Congressman Howard Berman of Los Angeles, a Burton protege, was selected for a seat on the Steering and Policy Committee over a candidate put forth by Democratic Majority Leader Jim Wright of Texas, Burton was being "operational." He had the numbers.

All his political life, Burton under-

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stood the importance of numbers. A defeat in his first bid for elective office (by an incumbent state assemblyman who happened to be dead) made Burton take a hard look at political boundaries and demographics. Following his first successful election, in that same district two years later, he became an astute practitioner of the art of dividing numbers with boundary lines.

A few years ago, he explained what he had learned. "The most important thing you do, before anything else, is you get yourself in a position (to) draw the lines for (your own) district. Then, you draw them for all your friends before you draw anyone else's." Reminded of this during the final interview, Burton, startled, denied it. "I didn't say that. Did I say that? I hope I didn't say that."

He not only said it, he practiced it, for 25 years.

For Burton, successful politics consisted of adding, subtracting and dividing numbers so that his totals counted for more than the other guy's totals. Thus, while California Republicans garnered nearly half the total vote in last year's general election, they won only 17 of 45 seats.

Although his redistricting coup gained widespread notoriety, Burton also played a numbers game inside the House itself. In fact, he engaged in a kind of continuous "redistricting" of the House, gradually stacking vital committees and subcommittees with his own allies and changing committee jurisdictions to suit his own needs. To accomplish this, he led the reform by which the power to make committee assignments was taken from the Ways and Means Committee (where he did not sit) and given to the Democratic Steering and Policy Committee (where he did sit). He used this position to bring allies on board the committee-appointing panel. Still more allies were funneled into key positions on other committees, expanding Burton's considerable power.

Another thing that brought Burton influence was his ability to orchestrate an election, and thereby gain the loyalty of the winning candidate. In some cases, Burton carved out a new district, hand-picked the candidate, raised a war chest from among his political contacts and provided top professional staff to oversee the effort. Once elected, the new Democratic lawmaker would land a choice committee assignment.

It's not surprising, therefore, that more than a few Democrats owed, or believed they owed, their political success to Burton. Observes Lou Cannon, a long-time Burton friend and White House correspondent for the *Washington Post*, "There's nothing a politician respects more than somebody who makes his job secure."

Over the years, Burton made a lot of jobs secure, both in and out of California, and this helped him create his organization within the House. Burton then used his organization to forge coalitions to enact or stop bills. Conservatives were as welcome as liberals on any given "deal," as were Republicans.

"He succeeded because he understood others' interests better than some others did," says Democratic Senator Gaylord Nelson of Wisconsin.

As an example of his legislative prowess, Burton passed his monumental Omnibus Parks Bill in 1980, putting more land into preservation status than anyone in the history of the Republic, including Theodore Roosevelt and all the presidents and congresses before and since — combined — all at a whopping $1.2 billion price tag. Then-President Jimmy Carter, a Democrat, threatened to veto the bill, but Burton passed it anyway.

Because Burton's "deal" had included park projects wanted by anyone with influence in Congress, including the majority and minority leadership and representatives from 44 states, "we stuck that on the peanut farmer's desk, and lo and behold, it was signed!" said former Democratic Congressman John Burton of San Francisco, Phil's brother.

"Ten percent of the land mass of America bears the imprimatur of Phil Burton," marvelled Pete McCloskey, former Republican congressman from San Mateo.

His colleagues backed Burton for majority leader on the secret ballot, even though many disliked him, because they knew his word was solid and he understood their interests. As a result, they trusted and respected him. The Democratic leadership had no choice but to reckon with him, and while some antagonists never reconciled to Burton, they grew to respect his numbers.

Moral force

There is a final element in trying to understand Burton's political influence: he was a man of moral force.

This is an odd reminder about a political tough, but according to Lu Haas, there wasn't "a phony bone in his entire body." He cared passionately about others and was absolutely giving of himself to help those who had no help.

"He hated those that did not care," recalls Democratic Congressman Leon Panetta of Carmel Valley. "If you did not care for what you were doing, that is what aggravated him more than anything else."

Most of that aggravation fell upon liberal allies whom Burton suspected of falling short of his standards. "If I'm shouting at you," he once told Panetta, "it means I love you."

In one vodka-filled evening about a year before his death, Burton ranted to *California* magazine writer Rian Malan about his purpose in public life.

"And, he roared on into the evening," wrote Malan, "a man transfigured by his passion, a man altogether too large for these small and snide times. A dinosaur, perhaps. Toward the end, he said, 'I'm determined to make the universe a better place. Not the world, the universe. Not the Western world versus the Eastern world, not the country versus the state, but the universe. I'm absolutely determined to do that. Absolutely determined.' There was nothing more to say."

Now, an empty vodka glass sits upside-down, and in some strange way, even Burton's angriest enemies seem to feel poorer in a personal way.

His closest friends still hear the echo: "Just do what's right, baby."

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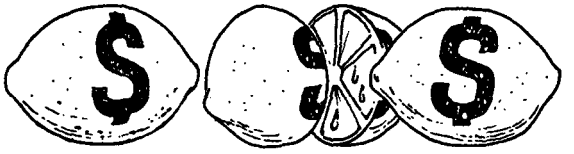
Juice bills: squeezing out benefits for land developers

By DAN WALTERS



Thanks to the growing stringency of state and local government land-use controls, a new subcategory of "juice bill" has been created at the Capitol. It should be called the "OD bill," meaning that it's a bill to benefit "one development." The typical juice bill, of course, generally benefits one industry, or a large segment thereof. Over the years, for instance, there have been bills allowing bankers to sell life insurance granting monopolies to liquor dealers and carving out tax loopholes for the movie industry. There is lots of juice behind such legislation, usually in the form of money, and it is spread generously among those lawmakers who are kind enough to let the measure pass.

The OD bill also has lots of juice behind it, and usually it arises from a situation like this:

A land developer finds his project stalled at some level in the local or regional regulatory process, or in the courts. He approaches, perhaps through a well-connected lobbyist, a state legislator who agrees, for whatever reason, to carry a bill that somehow exempts that particular development from the regulations.

Overall, the efforts by developers to gain approval of their exemption bills were not terribly successful in the late 1970s and early 1980s. The governor's office was occupied by Jerry Brown, who had strong environmental credentials, and his presence was a discouraging factor. But perhaps the most negative influence on the special interest development bills that coursed through the Legislature was the Capitol's press corps. Brown and legislators tended to shy away from the bills once their presence became known and was widely reported.

New Cities

The most explosive example of the phenomenon during the period was the so-called "New Cities bill" in the 1981 session. Nathan Shapell, a wealthy Southern California developer, chairman of the state's Little Hoover Commission and of a Brown-appointed housing task force, proposed that the state create a commission that would be empowered to override local planning and zoning laws and authorize creation of "new cities."

The bill was moving along nicely until the press learned that Shapell had just such a massive development stalled by local opposition in Ventura County and that he had contributed heavily to legislative campaign funds.

The Brown administration had supported the bill, but because of the heavy coverage, Brown backed away, abandoned Shapell and vetoed the measure.

The 1983 legislative session has seen an unusually heavy infusion of single-development bills. "It's the worst I've ever seen for single-project exemptions," says John Zierold, the Sierra Club's top Sacramento lobbyist and point man opposing most of the bills.

At least five major land-use bills have surfaced and there may be dozens of smaller ones. Why?

Capitol staffers and others who track the situation believe that the sharp upturn in project bills can be traced to two factors: the replacement of Brown with a development-minded Republican, George Deukmejian, and an economic upturn that spurs development efforts. Developers believe that if their bills can make it through the Legislature, Deukmejian would be more willing to sign them.

The administration's policy has not been tested. While Deukmejian has publicly pushed for more housing and other kinds of development, and while building industry officials have filled some key administration positions, it's not yet clear whether Deukmejian would sanction overriding local government and judicial decisions to provide relief for individual developers and landowners.

The Traweek story

The most publicized of the 1983 crop of development bills involves an apartment complex in San Francisco that developer Richard Traweek wants to convert into condominiums. Traweek, whose political friends include Assembly Speaker Willie Brown, ran afoul of a San Francisco city ordinance that limits condominium conversions to 200 units per year. He wanted to convert 720 units at one stroke. Democratic Senator Henry Mello of Watsonville introduced a bill on behalf of Traweek that would, in effect, force the city to approve the condo conversion.

San Francisco city officials raised loud objections, trapping Speaker Brown — who represents San Francisco — in the middle. He solved his dilemma by obtaining a legal opinion saying that because Traweek once gave him a gift, he (Brown) had a conflict of interest and could not vote on the issue.

The Traweek bill was stalled in the Assembly Housing Committee after slipping through the Senate, and chances of its resurrection seemed dim.

Mello's carrying the Traweek bill created political problems for him with environmental activists from his own scenic, central California coastal district. But Mello tried to repair his fences with the environmentalists by working against another of the major land-use bills affecting his own district.

Assemblyman Lou Papan, who chairs the Assembly Rules Committee and is one of the Capitol's most powerful Democrats, introduced a bill on behalf of J. Hart Clinton, publisher of the *San Mateo Times*, an influential newspaper in Papan's district.

Clinton owns an 80-acre parcel in the Santa Cruz mountains that is barred from development by inclusion in a local forest preservation zone. The effect of that status is to reduce the parcel's marketability. Clinton has been unable

Dan Walters is capitol bureau chief for the Sacramento Union.

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to get his land removed from the timber zone despite strenuous efforts. He lost a court battle after being spurned by local government officials.

The Papan bill would order Santa Cruz County officials to remove Clinton's property from the forest zone. The measure moved through the Assembly easily but was pending in the Senate — and under heavy opposition from Mello — when the Legislature broke for its summer recess.

Honey Springs Ranch

Meanwhile, at the other end of the state, in rural San Diego County, a development firm called Presenting, Inc., was having trouble getting its project, called Honey Springs Ranch, off the drawing board. The owners of Presenting, Inc., ran into stiff opposition from local homeowners who said the 2,022-acre development would bring unwanted urbanization to their rural corner of the world.

The prime problem was that two-thirds of the land to be developed had been in a Williamson Act agricultural land preservation zone and was under contract to remain undeveloped for a decade or more. San Diego County supervisors agreed to cancel the contract but the Sierra club and other opponents filed suit — a case still pending.

Presenting's owners didn't wait for the courts to act. They began pushing legislation that would, in the guise of clarifying Williamson Act contract cancellation procedures, clear away all legal obstacles in front of Honey Springs Ranch.

James Neff, who had been Jerry Brown's chief lobbyist, was hired by the developers to shepherd the bill through the Legislature. It cleared the Assembly but was still pending in the Senate in mid-July.

The Sierra Club also found itself fighting another development battle in nearby Riverside County.

A Canadian corporation called Campeau Corporation wants to develop a 1,700-acre parcel, but environmentalists contend that the local approval was faulty and have filed suit. Assemblyman Jim Costa introduced legislation for Campeau — similar to a bill that had failed in 1982 — that would void the lawsuit and allow development.

That bill, too, moved through the Assembly and was pending in the Senate in a repeat of a familiar theme in 1983 — the origination of single-project bills in the lower house.

Bolsa Chica Wetlands

Perhaps the most far-reaching of the 1983 crop of development bills involves the Bolsa Chica Wetlands along the Orange County coast and the 10-year battle of the Signal Landmark Company to win approval for its development. The project has been stalled by the Coastal Commission because its proposed marina violates commission guidelines.

Democratic state Senator Paul Carpenter of Cypress and Republican Assemblyman Nolan Frizzelle of Huntington Beach are carrying three bills that would, in essence, clear the legal underbrush away and allow the development to proceed.

Paula Carrell, a Sierra Club lobbyist, calls the Bolsa Chica fight "the major coastal battle" of the session.

"What happens to that bill will be a major indicator of what a developer can do to solve his individual problem by altering the coastal act," Carrell told the *Los Angeles Times*, which has devoted heavy coverage to the issue. "If the Bolsa Chica developer succeeds, we can expect a flood of similar legislation."

When Lou Papan presented his exemption bill for newspaper publisher Clinton on the floor of the Assembly in June, he received verbal support from Assemblyman Richard Robinson, who is carrying the Williamson Act exemption bill for Presenting, Inc.

Robinson, responding to criticism that Papan's bill was a blatant special-interest measure, argued that the Legislature should become, in effect, a court of last resort to deal with issues that cannot be resolved satisfactorily at the local level.

Critics, however, quickly pointed out that the Legislature does not represent a level playing field because developers and other moneyed interests can skew matters in their favor by hiring well-connected lobbyists and papering the Capitol with campaign funds.

"They (developers) are not willing to live with the majority rule of the democratic process," says Sierra Club lobbyist Zierold.

ROSTER UPDATE

Listed below are recent changes in the *California Journal Roster and Government Guide* published in the February 1983 issue. Other updates were published in the *California Journal* in March, page 125; April, page 170; May, page 200; and June, page 220.

Page 2: The new director of the Office of Emergency Services is William M. Medigovich. The phone number is 427-4990.

The interim director of the Office of Planning and Research is Huston Carlyle.

Page 3: The new superintendent of the State Banking Department is Louis Carter.

The new commissioner of the Department of Corporations is Franklin Tom.

The new director of the Department of Real Estate is James A. Edmonds, Jr.

The new director of the Department of Parks and Recreation is Howard Caper.

The new director of the Department of Water Resources is David Kennedy.

Page 4: The new chairman of the Board of Prison Terms is Rudolph Castro.

The interim chairman of the Youth Offender Parole Board is James Ware.

Page 5: The new president of the State Board of Education is C. Hugh Friedman.

Page 6: Change Rep. Phillip Burton to Rep. Sala Burton.

Sen. Alquist's new district office address is 100 Paseo de San Antonio, San Jose 95113.

Page 7: Rep. Dan Lungren's new district office address is 555 E. Ocean Blvd., Long Beach 90802, (213) 436-9133.

Rep. Mathew Martinez' new district office is 1712 W. Beverly Blvd., Montebello 90640, (213) 722-7731.

Rep. Ron Packard's new district office address is 2121 Palomar Airport Blvd., Carlsbad 92008, (619) 438-0443.

Page 8: Assem. Peter Chacon's new district office phone number is (619) 232-2405.

Page 9: Assem. Larry Stirling's new district office address is 7777 Alvarado Rd.

Assem. John Vasconcellos' new district office is at 100 Paseo de San Antonio, San Jose 95113, (408) 288-7515.

Page 10: Senate leadership changes:

Minority Floor Leader: Jim Nielsen (R)
Republican Caucus Chairman: John Seymour.

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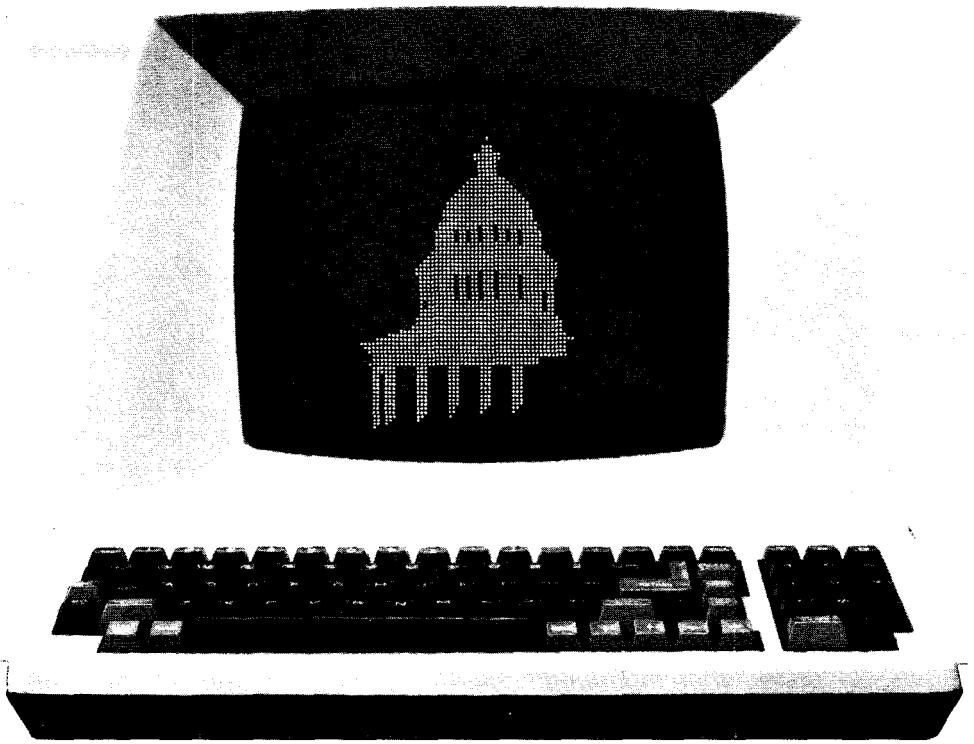

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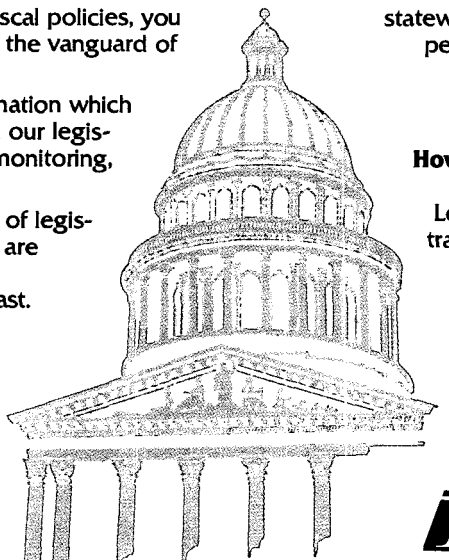

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Norman Fleishman, Hollywood's liberal pied piper

By MICHELE WILLENS

A product-promoter of another sort. A man not dedicated to getting some client's brand of soft drink or cigarette used in a movie or in a television show. A promoter, to be sure, but one who deals in political ideas, mostly liberal. To Norman Fleishman, happiness is seeing a Lou Grant episode point — as one did — to the awful consequences of nuclear war.

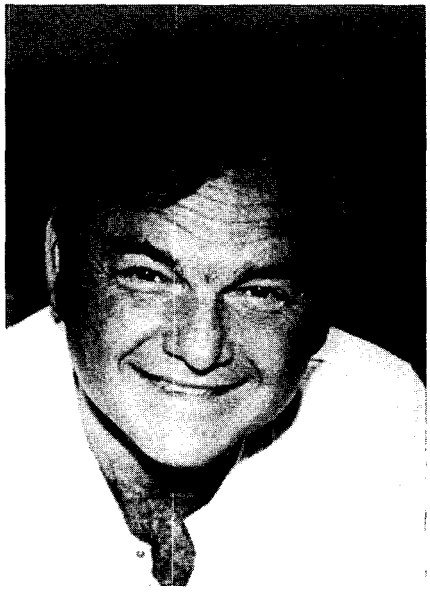
Television producer Norman Lear, himself sympathetic to many liberal causes, says Fleishman is "quietly invaluable" to the entertainment industry. "For me, he's been both a crucial source of information and, more importantly, a constant prod to my conscience," Lear says.

So who is Fleishman and how did he get into this unique line of work? Fleishman, 51, recalls that he was vice president of the Los Angeles Planned Parenthood organization in November, 1972, when Lear generated a massive controversy by presenting a two-part "Maude" episode in which Maude, the middle-aged matron, discovers herself pregnant and decides to get an abortion. Interested in the dispute, and knowing a few people in Hollywood, Fleishman called Lear and asked him to discuss his experiences with a group of television and news representatives.

Tools of persuasion

Through that meeting, Fleishman became acquainted with Lear and later suggested that Lear make an "All in the Family" episode on the subject of vasectomy. Lear agreed, and the results impressed Fleishman no end. "I'd been working my butt off for years trying to get people to focus on that issue," Fleishman says. "Then I saw how one half hour could reach millions, and make them laugh while digesting the information."

But Fleishman also realized that it would do no good to lecture at the creative people of the entertainment business in hopes of selling them his ideas. (He's done that only once, actively campaigning for the nuclear freeze initiative in last November's state election.) Thus, his tool of persuasion is what he calls the "social seminar," a gathering of artists, writers, actors, etc. to hear some expert on a particular subject.



"Activists are boring," he says. "I want experts and then let creative people pick their brains." Among those who have been picked at a Fleishman seminar are disarmament expert Paul Warnke, negotiation expert Roger Fisher of Harvard Law School, biologist Paul Ehrlich and retired Admiral Eugene LaRoque, an arms race critic.

"The bottom line is to educate people already gifted in creativity," he explains. "A second goal is to get them involved with an issue on a personal basis. The ultimate goal is to get them to incorporate those issues into their work, even if it's just one line on 'Mork and Mindy' about solar energy, or an entire episode dealing with abortion or nuclear."

Or, he might have added, to get an entire movie. A few years ago, Fleishman recalls, a social seminar on sexism drew, among others, Larry Gelbart, creator of "MASH." Fleishman says Gelbart was so impressed with what he heard that he bought a book on the subject and eventually produced the script for a movie called "Tootsie."

A low-key approach

Fleishman's seminars are not publicized. Helped by his initial association with Lear, his name and programs have spread through Hollywood by word-of-mouth. Indeed, says Fleishman, his low-key approach is the main reason for his success. "I really understand Hollywood personalities. You just can't push with them. All you can do is get them information and make yourself available to them . . . I think they (celebrities) have come to realize their own power. Sometimes, it is frightening to them, to think someone might vote a certain way because a star tells them to."

Fleishman says he supports himself with grants from several small, liberal-oriented foundations, such as Stewart Mott's foundation in New York. He says he receives about $50,000 a year and takes $30,000 for his salary. Never, he says, does he ask his Hollywood friends for contributions, except perhaps for the use of a home in which to conduct one of his seminars.

Fleishman himself is a Hollywood boy, having grown up there with "liberal causes on my mind." Most of the influence, he says, came from his mother, Sylvia, a battler for women's rights virtually from the time he was born. During much of his working life, he has been employed by such organizations as the Ethical Culture Society of New York and a now-defunct Unitarian school in Switzerland, the "Albert Schweitzer College." He became interested in Planned Parenthood and the marshalling of public opinion after his fourth child was born and he decided to seek a vasectomy. "When I found doctors charging $1000 to perform an $80 operation, I saw the need to educate people," he explains.

Michele Willens, a freelance writer from Los Angeles, is a frequent contributor to California Journal.

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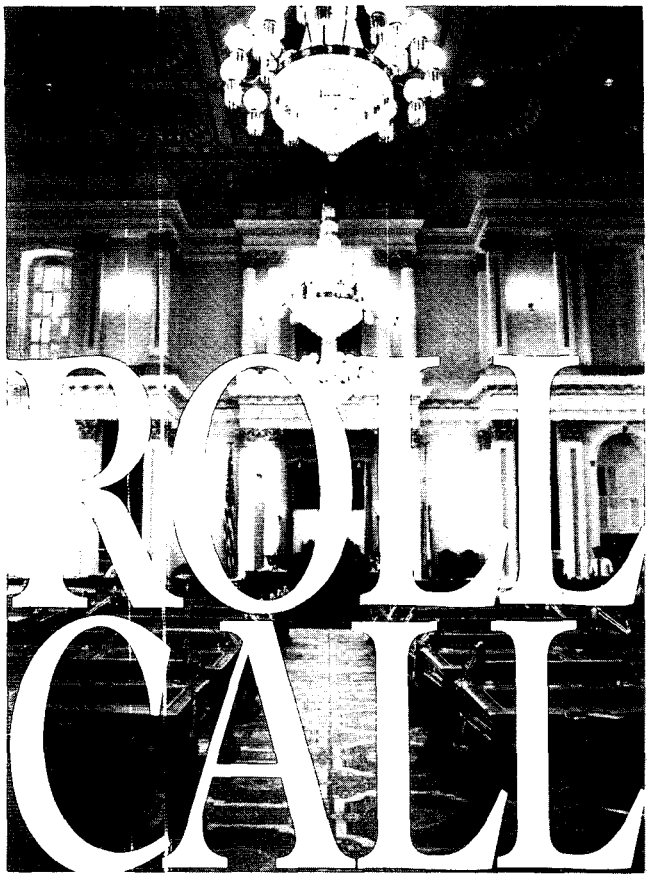

ASSEMBLY

OFF-TRACK BETTING

AB 1517 (Alatorre). Would legalize limited forms of off-track betting. Backers say the bill could generate $200 million or more annually in revenue to the state. Opponents fear a loss of racetrack jobs and decreased betting at tracks. Other opponents contend that off-track parlors will exploit the poor. Passed June 23, 41-37.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Clute, Cortese, Costa, Davis, Elder, Floyd, Goggin, Hauser, Hayden, Hughes, Johnston, Katz, Klehs, Molina, Moore, Papan, Robinson, Roos, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Felando, Frizzelle, Hill, Johnson, Kelley, La Follette, Naylor, Nolan.

DEMOCRATS AGAINST: Chacon, Condit, Connelly, Farr, Hannigan, Harris, Isenberg, Killea, Margolin, McAlister, Moorhead, O'Connell, Peace, Sher.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, D. Brown, Filante, Frazee, Herger, Jones, Konnyu, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

AUTOMOBILE INSURANCE

AB 117 (Robinson). Requires drivers to prove they have auto insurance when registering vehicles with DMV. Sponsors contend the bill will reduce the growing number of uninsured motorists. Insurance companies oppose, fearing state regulation of insurance rates. Other opponents argue that low-income persons cannot afford insurance. Failed June 22, 35-30.

DEMOCRATS FOR: Agnos, Areias, Bane, Calderon, Clute, Condit, Connelly, Cortese, Costa, Elder, Farr, Goggin, Hannigan, Harris, Isenberg, Johnston, Katz, Margolin, McAlister, Moorhead, O'Connell, Peace, Robinson, Roos, Sher, Tanner, N. Waters Young.

REPUBLICANS FOR: Bader, La Follette, Lancaster, McClintock, Mountjoy, Rogers, Stirling.

DEMOCRATS AGAINST: Alatorre, Bronzan, W. Brown, Chacon, Floyd, Hauser, Hayden, Hughes, Killea, Klehs, Molina, Tucker, M. Waters.

REPUBLICANS AGAINST: Allen, Baker, Bergeson, Bradley, Filante, Frazee, Frizzelle, Hill, Jones, Kelley, Konnyu, Leonard, Seastrand, Sebastiani, Statham, Wright, Wyman.

GAY RIGHTS

AB 1 (Agnos). Prohibits employment discrimination against persons because of their sexual orientation. Sponsors say homosexuals deserve the same protections that have been granted to other targets of discrimination. Opponents do not agree. Passed June 22, 41-36.

DEMOCRATS FOR: Agnos, Alatorre, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Connelly, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, Young.

REPUBLICANS FOR: Filante

DEMOCRATS AGAINST: Areias, Condit, McAlister, Moorhead, Peace, N. Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

CHOKEHOLDS

AB 1530 (Moore). Prohibits police from using certain types of chokeholds to subdue suspects and requires police officers be trained in non-injurious chokehold techniques. Supporters say current chokehold techniques have caused injuries and deaths. Opponents contend that officer safety is the paramount issue. Failed June 22, 20-45.

DEMOCRATS FOR: Agnos, Bates, W. Brown, Connelly, Farr, Floyd, Hannigan, Harris, Hayden, Hughes, Isenberg, Klehs, Margolin, Molina, Moore, Sher, Tanner, Vasconcellos, Vicencia, M. Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: Areias, Bronzan, Calderon, Chacon, Clute, Condit, Costa, Davis, Hauser, McAlister, Peace, N. Waters, Young.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

PREGNANT EMPLOYEES

AB 274 (M. Waters). Expands state laws prohibiting job discrimination because of pregnancy or childbirth. Backers say the bill would strengthen existing law concerning initial hiring and training programs. Employers say the bill is unfair to non-pregnant employees. Passed June 21, 46-29.

DEMOCRATS FOR: Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, Lancaster, Leonard, Lewis, Mojonnier, Mountjoy, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

JAIL SEARCHES

AB 270 (M. Waters). Prohibits strip searches or body cavity searches of persons who have been arrested on misdemeanors or infractions. Sponsors contend such searches are unnecessary, humiliating, and an invasion of privacy. Opponents argue that

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searches are needed to prevent the concealment of illegal or dangerous items. Passed June 21, 41-33.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Campbell, Chacon, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, Young.

REPUBLICANS FOR: Leonard.

DEMOCRATS AGAINST: Calderon, Clute, Condit, Peace, N. Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Jones, Kelley, Konnyu, La Follette, Lancaster, Lewis, McClintock, Mojonnier, Mountjoy, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

CAMPAIGN FINANCING

AB 12 (Vasconcellos). Limits contributions to and expenditures by candidates for legislative offices and provides for public financing of their campaigns. Supporters say the system will make candidates more independent of special interests. Critics contend that it will ensure the re-election of incumbents and that political campaigns should not be financed from public funds. Passed June 22, 55-22.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Connelly, Cortese, Costa, Davis, Elder, Farr, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Killea, Klehs, Margolin, Molina, Moore, Moorhead, O'Connell, Papan, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Bradley, Felando, Filante, Frazee, Frizzelle, Johnson, Jones, Konnyu, La Follette, Mojonnier, Naylor, Statham.

DEMOCRATS AGAINST: Condit, Floyd, McAlister, Peace.

REPUBLICANS AGAINST: Allen, Bader, Baker, Herger, Hill, Kelley, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Nolan, Rogers, Seastrand, Sebastiani, Stirling, Wright, Wyman.

SENATE

LOBBYISTS

SB 1055 (Montoya). Increases from $10 to $20 per month the amount a lobbyist can spend on a legislator or other elected official. Sponsors suggest that the $10 limitation is no longer realistic in view of the costs of entertainment and other business expenses. Critics oppose the idea of lobbyists spending more money on legislative influence. Failed July 7, 14-22.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Dills, Foran, B. Greene, Montoya, Petris, Rosenthal, Watson.

REPUBLICANS FOR: Beverly, Campbell, Craven, Maddy.

DEMOCRATS AGAINST: Carpenter, Deddeh, Garamendi, Hart, Keene, Lockyer, McCorquodale, Mello, Presley, Robbins, Torres, Vuich.

REPUBLICANS AGAINST: Davis, Doolittle, Ellis, Johnson (Ind.), Marks, Nielsen, Royce, Russell, Seymour, Speraw.

ANIMAL EXPERIMENTATION

SB 883 (Roberti). Prohibits the use of pound animals for research. Proponents contend that dogs and cats are often subjected to painful scientific experiments. Opponents claim research costs will increase if veterinary schools and other facilities must purchase specially bred animals for research. Passed June 22, 21-11.

DEMOCRATS FOR: Alquist, Boatwright, Deddeh, Dills, B. Greene, Hart, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Torres, Vuich, Watson.

REPUBLICANS FOR: Beverly, Craven, Marks, Seymour.

DEMOCRATS AGAINST: Foran, L. Greene, Rosenthal, Stiern.

REPUBLICANS AGAINST: Ellis, Johnson (Ind.), Maddy, Nielsen, Richardson, Russell, Speraw.

FARM WORKERS

SB 463 (Petris). Requires farmers to pay agricultural employees overtime if they work more than 8 hours a day or 40 hours a week. Farm workers say they should get the same benefits as workers in other industries. Growers contend that due to the seasonal nature of the agricultural industry and other considerations, they would have to reduce workers' hours if required to pay overtime. Failed June 9, 11-20.

DEMOCRATS FOR: Dills, Foran, B. Greene, L. Greene, Hart, Lockyer, Petris, Roberti, Rosenthal, Torres, Watson.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: Ayala, Boatwright, Deddeh, Keene, Mello, Presley, Stiern, Vuich.

REPUBLICANS AGAINST: Campbell, Craven, Davis, Doolittle, Ellis, Johnson (Ind.), Maddy, Nielsen, Royce, Russell, Seymour, Speraw.

PROPERTY TAXES

SB 1108 (Ayala). Allows county assessors to establish the value of newly constructed residential or commercial developments on completion, rather than wait until the next March 1st lien date. Supporters argue that the change would boost property tax revenues for cities and counties. Opponents say it's unfair to change the formula for the purpose of raising taxes. Passed June 21, 21-12.

DEMOCRATS FOR: Alquist, Ayala, Dills, Foran, Garamendi, B. Greene, Hart, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Watson.

REPUBLICANS FOR: Craven, Davis, Marks.

DEMOCRATS AGAINST: Boatwright, Deddeh, L. Greene, Lockyer.

REPUBLICANS AGAINST: Beverly, Doolittle, Ellis, Johnson (Ind.), Nielsen, Royce, Russell, Speraw.

COMMITTEE VOTES

POLICE SERVICES FUNDING

SB 310 (Presley). Would levy a 3% tax on oil well production to help finance law enforcement services. Sponsors claim that oil companies can afford to pay the severance tax and that without new money local governments cannot maintain the current level of police protection. Opponents say oil tax revenues should not be tied to specified programs. Senate Finance Committee defeated June 13, 4-10.

AYES: Alquist (D), Petris (D), Presley (D), Robbins (D).

NOES: Beverly (R), Boatwright (D), Campbell (R), Dills (D), Foran (D), Garamendi (D), Maddy (R), Marks (R), Seymour (R), Stiern (D).

PLANT CLOSURE

AB 386 (Campbell). Would require plants to give employees 90-day notice of proposed closure or layoffs. Supporters say workers need time to relocate. Businesses contend that fining companies for failing to observe such notice requirements is not beneficial to labor or management. Assembly Ways and Means Committee defeated June 8, 7-13.

AYES: Agnos (D), Alatorre (D), Bates (D), Campbell (D), Hannigan (D), M. Waters (D), Vasconcellos (D).

NOES: Baker (R), Bergeson (R), Costa (D), Johnson (R), Katz (D), Kelley (R), Leonard (R), Mountjoy (R), Nolan (R), Robinson (D), Roos (D), Stirling (R), Young (D).

PROPERTY TAXES

ACA 38 (Naylor). Proposed constitutional amendment to invalidate state supreme court decisions that have weakened Proposition 13 of 1978. Proponents warn against another tax revolt unless Proposition 13's limits remain intact. Critics argue the decisions have helped local governments finance necessary services. Assembly Revenue and Taxation Committee defeated June 13, 6-8.

AYES: D. Brown (R), Frazee (R), Jones (R), McClintock (R), Nolan (R), Seastrand (R).

NOES: Condit (R), Connelly (D), Cortese (D), Elder (D), Hannigan (D), Hayden (D), Klehs (D), Molina (D).

CHARGE ACCOUNTS

SB 1037 (Robbins). Allows retailers to add late fee to overdue charge account payments. Retailers contend that such fees would help insure timely payments. Opponents say such charges cannot be justified for revolving accounts. Assembly Finance and Insurance Committee defeated June 28, 7-5.

AYES: Bane (D), Chacon (D), La Follette (R), Lewis (R), Statham (R), Stirling (R), Wright (R).

NOES: Calderon (D), Connelly (D), Harris (D), McAlister (D), Roos (D).

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Perspective from
WASHINGTON
By Leo Rennert

A modest beginning

Like the unseen tree that topples deep inside a forest, Pete Wilson's debut on Capitol Hill has not been a very noticeable event. California's junior senator has not put his mark on significant legislation. Nor has he tried to tackle issues that attract national attention. After more than six months on the job, his moves still seem tentative. Steering a cautious course through a crowd of super-inflated egos, Wilson presents a picture of studied humility. Congressional colleagues find him pleasant, easily accessible and occasionally helpful. But along with a number of lobbyists who have dealt with him, they're beginning to wonder whether this low-profile performance is just a curtain-raiser or the entire show.

SO FAR, WILSON HASN'T HAD TO PAY a political price for his inconspicuous Senate presence. Senators have the luxury of a six-year term and newcomers rarely are graded on what they accomplish in the first year. In Wilson's case, expectations haven't been very high. After all, as far as California voters are concerned, sending him to Washington was more a by-product of slapping down Jerry Brown than an expression of solid enthusiasm for the winner. Wilson himself never came into sharp focus during the campaign, and he's still somewhat of an enigma.

Wilson and his staff argue that his modest start is not a harbinger of things to come, but a careful strategy to get off on the right foot. Wilson doesn't want to play the role of the uppity, headline-grabbing freshman who upstages the Senate's powerful barons and eventually has to pay a heavy price for excessive ambition. Rather, he hopes to build power and influence slowly. If his early efforts are less than dramatic, he's willing to bet that there will be payoffs down the line. However, there's a growing sense among some members of the California delegation that Wilson may have missed the boat by starting too slowly. In their view, timing is everything on Capitol Hill and lawmakers who don't move quickly to carve out an important role for themselves risk remaining on the sidelines.

While staying out of the spotlight, Wilson busies himself with efforts to represent a wide variety of California interests. His senior colleague, Democrat Alan Cranston, has given him a perfect opportunity to move into this area since Cranston's main preoccupation these days is to capture the Democratic presidential nomination. As a Republican, Wilson also may be in a better position to score points with the Reagan administration and produce results in a GOP-controlled Senate. In recent months, he has worked with House colleagues from the central valleys to obtain higher appropriations for water-development projects.

Wilson has also extended an olive branch to environmentalists by plugging for parkland money to protect the Santa Monica Mountains and to expand the Golden Gate National Recreation Area. He also wants to limit oil drilling off the California coast and find a solution to a long-festering problem about the size of wilderness areas in California's national forests — an issue that pits timber, mineral and commercial sports interests against environmentalists. Democrat Sala Burton of San Francisco, who succeeded her late husband in the House, hopes to reach an agreement with Wilson on wilderness legislation that would be a fitting memorial to Phil Burton's long efforts on behalf of environmental causes. The outcome of the Burton-Wilson negotiations may be an important tip-off on the future effectiveness of both these newcomers.

Wilson fell in line with agribusiness interests which supported his candidacy when he opposed an immigration reform bill that might cut off the supply of low-wage illegal aliens for harvest work. In his first attempt to change a major piece of legislation on the Senate floor, he struck out with an amendment to give growers an extra two years to comply with restrictive provisions for importation of Mexican workers. Wilson's amendment was rejected by a lopsided 72-20 vote. Most GOP senators sided against him since the amendment was opposed by the bill's manager, Republican Alan Simpson of Wyoming. While Wilson may have pleased a powerful homestate constituency, his futile floor efforts didn't exactly leave an impression that he's a comer in the Senate.

Eventually, Wilson hopes to branch out and put his hand on a couple of national issues with great significance for California — liberalization of international trade and the prickly problem of U.S. relations with Mexico and Central America. But that won't happen overnight. In the meantime, other lawmakers already have staked out positions in these areas, leaving little room for a newcomer to make a big imprint.

Outside congressional halls, Wilson plans to be very active in raising money in California for Republican candidates. He set up a political action committee with the goal of raising $100,000 for Senate races next year. He hopes to contribute the legal maximum of $5,000 to each GOP senator running for reelection. Wilson also plans a separate fund-raising operation to help California Republicans in state and local races. Having set new records for contributions from special interests in his own race last year, Wilson now hopes to become a major benefactor to other GOP campaigns. He's taking a leaf from Cranston's book in tapping pockets of wealth in California to help strengthen his homestate base and win friends in the Senate. If he's successful, he could end up with the chairmanship of the Republican Senatorial Campaign Committee.

AS FOR HIS EARLY VOTING RECORD, Wilson generally has been a White House team player. During the campaign, when he talked about the need to balance the budget, he appeared ready to jettison the MX missile. In the Senate, however, he went along with the administration and voted for the MX. On guns-versus-butter issues, he tends to opt for guns. When Senate Republicans split on domestic spending priorities, he didn't hesitate to vote with the conservative wing against GOP moderates like Majority Leader Howard Baker, Finance Chairman Bob Dole and Budget Chairman Pete Domenici.

On abortion, Wilson parted company with the right wing and voted against a pro-life constitutional amendment. But on most other issues, it's hard to distinguish his position from GOP conservatives like Barry Goldwater, Jr., and Bob Dornan who opposed him in last year's primary. The "moderate" Wilson image in California and his Senate record don't seem to mesh.

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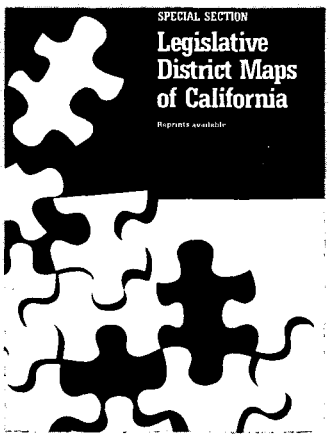

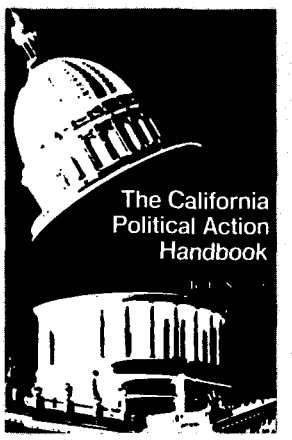

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